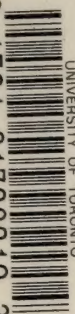


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ALASKA BOUNDARY.

FOREIGN OFFICE CONFIDENTIAL
SERIES.

CORRESPONDENCE RESPECTING

THE

BOUNDARY BETWEEN

THE

BRITISH POSSESSIONS

IN NORTH AMERICA


AND THE

TERRITORY OF ALASKA.



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Part 1.

CORRESPONDENCE

RESPECTING THE

BOUNDARY

BETWEEN THE

BRITISH POSSESSIONS IN NORTH AMERICA

AND THE

TERRITORY OF ALASKA.

[LONDON]

1886.

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1887 - 1902

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ERRATA.

Page 53, Foot-note *. For "No. 47," read "No. 46."
 „ 54, No. 55, line 2. For "No. 46," read "No. 47."

CONFIDENTIAL.

Correspondence respecting the Boundary between the British Possessions in North America and the Territory of Alaska.

No 1.

The Marquis of Salisbury to Sir L. West.

(No. 8 A.)

Sir,

Foreign Office, January 12, 1886.

THE United States' Minister called on me to-day and stated that he wished to speak to me with respect to the boundary of the State of Alaska.

He read to me the Treaty between the United States and Russia of the 30th March, 1867, under which the boundary was established which was now the frontier-line between the possessions of Great Britain and of the United States. It started, he said, from the head of the Portland Channel, followed a certain range of mountains, which was indicated upon Vancouver's Map, up to a certain meridian of longitude, which it followed to the north to the Frozen Sea. But, unfortunately, Vancouver's Map was wrong, and there was no such range of mountains.

Another indication was given by the Treaty that the boundary was at all points to be 10 marine leagues from the coast, but the indentations of the coast were so numerous that such a boundary was impossible.

Mr. Phelps proceeded to inform me that the Government of the United States were anxious that now, while the Territory was still of little importance and the land of little value, the boundary should be more satisfactorily drawn, and they wished to know whether Her Majesty's Government would consent to the appointment of a Commission for that purpose.

I said it was a matter upon which the Government of Canada must obviously be consulted, but that the proposition seemed to me, at first sight, very reasonable.

Mr. Phelps pressed for an early reply, because, he said, an Appropriation Bill must pass through Congress before it separated, and also that the labours of the Commission must be undertaken in the early summer.

I assured him that Her Majesty's Government would use all the dispatch possible; but I should be glad, I said, if he would inform me what the latest day was upon which their answer could be received.

For convenience of reference, a copy of the Treaty above referred to is forwarded herewith, and in connection with this subject I have to call your attention to the correspondence which took place in 1878 between Great Britain and the United States respecting the boundary between Canada and Alaska, and was published in the State Papers, vol. lxi, pp. 589-599, and also to the correspondence between 1872 and 1877, concluding with Sir E. Thornton's despatch No. 388 of the 17th December, 1877, which will be found in the archives of Her Majesty's Legation at Washington.

I am, &c.

(Signed) SALISBURY.

No. 2.

Sir P. Currie to Sir R. Herbert.

(Confidential.)

Sir,

Foreign Office, January 16, 1886.

I AM directed by the Marquis of Salisbury to transmit to you a copy of a despatch which has been addressed to Her Majesty's Minister at Washington,* recording the sub-

* No. 1.

stance of a conversation which his Lordship had, on the 12th instant, with the United States' Minister at this Court, relating to the boundary of the State of Alaska.

You will observe that the Government of the United States are anxious that a more satisfactory delimitation should be made of the frontier between the possessions of Her Majesty's Government and of the United States, in that direction, than is provided for by the existing Treaties; and they propose that a Commission should be appointed for that purpose, which should commence the task assigned to it in the early summer.

I am to request that, in laying this letter before Secretary Colonel Stanley, you will move him to inform Lord Salisbury, at his early convenience, what reply should, in his opinion, be made to the proposals of the United States' Government. If communication with Canada is judged necessary, as Lord Salisbury presumes will be the case, it is desirable, for the reasons stated by Mr. Phelps, that they should be made as soon as possible.

I am, &c.
(Signed) P. CURRIE.

No. 3.

Mr. Phelps to the Marquis of Salisbury.—(Received January 20.)

My Lord, *Legation of the United States, London, January 19, 1886.*

REFERRING to the conversation held with your Lordship on the 12th instant, relative to the boundary between the British possessions in North America and the territory of Alaska, I have the honour to transmit herewith a copy of the statement of the facts contained in the instructions sent me by my Government, together with copies of the Maps therein referred to.

I think your Lordship will find in these documents the confirmation of the statements I made in the conversation above mentioned.

In the Treaty between the United States and the Emperor of Russia, of the 30th March, 1867, whereby the territory of Alaska was ceded to the United States, the eastern boundary of that territory, which divides it from the North American possessions of Her Majesty, is designated by embodying in the Treaty, in terms, the language of Articles III and IV of the Convention between Great Britain and Russia, of the 28th February, 1825, whereby that boundary is established.

Those Articles are as follows:—

“Commencing from the southernmost point of the island called Prince of Wales' Island, which point lies in the parallel of 54° 40' north latitude, and between the 131st degree and the 133rd degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last-mentioned point, the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude (of the same meridian), and finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the Frozen Ocean.

“IV. With reference to the line of demarcation laid down in the preceding Article, it is understood:—

“1. That the island called Prince of Wales' Island shall belong wholly to Russia” (now, by this cession, to the United States).

“2. That whenever the summit of the mountains which extend in a direction parallel to the coast from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude shall prove to be at the distance of more than 10 marine leagues from the Ocean, the limit between the British possessions and the line of coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this Convention) shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of 10 marine leagues therefrom.”

The boundary thus indicated has no apparent ambiguity. But it was established and described when the region through which it runs was entirely unexplored. It was doubtless agreed upon in view of the Map known as Vancouver's Map, then almost the only one available, which shows a range of mountains apparently continuous and sharply defined, running parallel with the coast about 10 marine leagues inland, from the 56th degree of north latitude to their intersection with the 141st degree of west longitude, and forming a natural and plainly obvious permanent boundary. And probably the mountains, as seen from the sea, present that appearance to the eye.

But recent explorations since the country has begun to be occupied, show that no such boundary as that described in these Treaties exists within the limits above mentioned, or is capable of being determined. And that the monuments by which it is indicated in the Treaties tend only to confusion and uncertainty.

Instead of a continuous range of mountains along the summit of which a tangible and reasonably direct line can be run, the whole region proves to be broken into a sea of mountains, with spurs running in various directions, covering laterally a very wide surface.

By no criterion, either of height, direction, or continuity, can a line be laid down that could be regarded as "following the summit of the mountains," and any approximation that should be attempted, to the line prescribed in the Treaties, would be no nearer than various other approximations that might be made, and which would be widely different from each other.

The only other indication of this part of the boundary contained in the Treaties, the limit of 10 marine leagues from the Ocean, equally fails of practicable location. The coast proves upon survey to be so extremely irregular and indented, with such and so many projections and inlets, that it is not possible, except at immense expense of time and money, to run a line that shall be parallel with it, and if such a line should be surveyed it would be so confused, irregular, and inconsistent that it would be impossible of practical recognition, and would differ most materially from the clear and substantially straight line contemplated in the Treaties.

The result of the whole matter is, that these Treaties, which were intended and understood to establish a proper boundary, easy to observe and maintained, really give no boundary at all so far as this portion of the territory is concerned.

A further difficulty is disclosed by the recent surveys in respect to this line. It is found that Portland Channel does not extend so far north as the 56th degree of north latitude. This, however, can probably be easily rectified upon proper survey by extending the general line of Portland Channel some 4 or 5 miles further to the north.

Under these circumstances I am instructed by my Government to propose, through your Lordship, to Her Majesty's Government, that a Commission be agreed on by the Governments of the United States and of Her Majesty, to be composed of Commissioners to be appointed by each, who shall, under such instructions and conditions as may be mutually concurred in and upon such surveys and examinations as may be found necessary and practicable, either designate and establish the boundary-line in question or report to the respective Governments such facts, data, and recommendations as may afford a basis for its establishment by Convention between them.

In addition to the statement of facts above mentioned, I have the honour to send herewith copies of the Maps therein referred to. The book called "United States' Pacific Coast Pilot" I must ask your Lordship to have the kindness to return at your convenience, as I have no other copy. But should you desire it, I shall be happy to send to the United States for a copy for the use of Her Majesty's Government. And I shall be much obliged if your Lordship will cause copies to be sent me of the British and Canadian official Maps mentioned in the statement.

In the conversation with your Lordship before alluded to, reference was made to the time within which my Government must apply to Congress for the appropriation necessary for the expenses of the Commission on its part if sent out this year. I have since informed myself on that point, by telegraphic communication with the Department of State, and learn that if an agreement should be reached between the Governments by the 1st April, the appropriation can probably be obtained.

I venture to suggest, however, in view of the reasons which will readily occur to your Lordship, for as early an adjustment of this boundary as may be found practicable; that as such an expedition can only make progress in the summer, and as some time must necessarily be occupied in its appointment, outfit, and arrangements, it will doubtless be for the mutual interests of the Governments that a decision in regard to it should be made as soon as may be consistent.

I have, &c.
(Signed) E. J. PHELPS.

Inclosures.

1. Statement from Instruction No. 144 of the 20th November, 1885, from Mr. Bayard to Mr. Phelps.
2. Vancouver's Chart No. 7 (Photographed).

3. United States' Coast Survey Chart of Alaska No. 960, 1884.
4. United States' Coast Survey Chart No. 710, Revilla Gigedo Channel, 1885.
5. "United States' Pacific Coast Pilot," Alaska, Part I, 1883.
6. Treaty between the United States and Russia for the cession of Alaska, 30th March, 1867.

Inclosure 1 in No. 3.

Mr. Bayard to Mr. Phelps.

Sir,

Department of State, Washington, November 20, 1885.

SHORTLY after assuming the duties of this Office, my attention was drawn to the circumstance that the existing boundary-line between the territory of Alaska and Her Majesty's possession of British Columbia, is not only open to doubt in certain quarters, although not in doubt so far as this Government is concerned, in respect of the water-boundary from Prince of Wales' Island and through the Portland Channel, but that it is, also, with regard to the inland frontier, which is supposed to follow a mountain range, an impracticable one to survey, if not a geographical impossibility.

The territory of Alaska was acquired by the United States from Russia, subject to the existing demarcation of the eastern frontier-line between Russian America and British America, under the Convention between Great Britain and Russia of the 16th (28th) February, 1825, and the description of the line contained in Articles III and IV of that Convention was incorporated literally—as to the English text thereof—in the 1st Article of the Treaty between the United States and Russia concluded on the 30th March, 1867. Copies of the latter Treaty are hereto annexed for your information.

I am not aware that any question concerning the true location of the line so stipulated ever rose at any time between Great Britain and Russia prior to the cession of Alaska to the United States. If any such question had arisen, and was pending at the time of the cession, the United States would naturally have succeeded to the Russian interest therein just as to any other right of Russia affecting the ceded territory. This Government, however, had no intimation then, and has had none since, from Her Majesty's Government, that any such question existed. It is not thought likely, however, that question in this regard could have existed, as the inlet, and the country through which the boundary-line of 1825 ran, were in 1867 still practically unexplored. The boundary was then, as it is still, a theoretical one, based, as it is fair to be presumed, on the charts which the negotiators had before them in 1825, and which they doubtless assumed to be a substantially correct expression of geographical facts.

It is certain that no question has arisen since 1867 between the Governments of the United States and Great Britain in regard to this boundary.

The ascertainment of the true line of demarcation under the Anglo-Russian Treaty would, however, appear to have been the subject of informal consultation soon after Russian Alaska passed to the United States, but no record of any official correspondence between the two Governments is found.

In his annual Message to Congress, December 2, 1872, President Grant, after referring to the then recent settlement of the San Juan Island dispute, said:—

"Experience of the difficulties attending the determination of our admitted line of boundary, after the occupation of the territory and its settlement by those owing allegiance to the respective Governments, points to the importance of establishing, by natural objects or other monuments, the actual line between the territory acquired by purchase from Russia, and the adjoining possessions of Her Britannic Majesty. The region is now so sparsely occupied that no conflicting interests of individuals or of jurisdiction are likely to interfere to the delay or embarrassment of the actual location of the line. If deferred until population shall enter and occupy the territory, some trivial contest of neighbours may again array the two Governments in antagonism. I therefore recommend the appointment of a Commission, to act jointly with one that may be appointed on the part of Great Britain to determine the line between our territory of Alaska and the coterminous possessions of Great Britain."

An estimate of the probable cost and time of a survey of the Alaskan boundary-line on the part of this Government, then made, fixed the cost at about 1,500,000 dollars, and the time required as nine years in the field, and at least one year more for mapping results; which illustrates the magnitude of the labour.

A CHART
 shewing part of the
COAST OF N.W. AMERICA
 with the tracks of His Majesty's Sloop
DISCOVERY and Armed Tender *CHATHAM*
 Commanded by GEORGE VANCOUVER Esq. and prepared
 under his immediate inspection by Lieut Joseph Baker in which the
Continental Shore has been correctly traced and determined from
 Lat. 51° 45' N and Long. 232° 08' E to Lat. 57° 30' N and Long. 126° 44' E
 at the periods shown by the Tracks
 The parts not shaded are taken from Spanish Authorities
 N denotes the Sloop's track Northward S denotes the Sloop's track Southward





Photoreproduced and printed at the Ordnance Survey Office Southampton, for the Intelligence Branch, War Office, 1886.



The suggestion of President Grant was not then acted upon by the Congress, and does not appear to have been since revived before that body. Since that time the condition of increasing settlement apprehended by President Grant has assumed marked proportions. A territorial Government has been organized for Alaska, and enterprise and capital are slowly, but steadily, making their way toward those distant shores.

In the judgment of the President, the time has now come for an understanding between the Government of the United States and that of Her Britannic Majesty, looking to the speedy and certain establishment of the boundary-line between Alaska and British Columbia. And this necessity is believed to be the more urgent, inasmuch as the Treaty-line is found to be of uncertain, if not impossible, location for a great part of its length.

In the first place, the water boundary-line, from the southernmost point of Prince of Wales' Island to the 56th degree of north latitude, is not found uniformly located on the charts of different modern geographers. On a majority of such charts, as, for example, those of Staff-Commander D. Gender's Survey for the Admiralty in 1868, and those of the Geological Survey of Canada, recently published, the boundary follows the central line of the main channel, known as Portland Inlet, while in other charts prepared by British geographers, the line deflects to the northward from the broad waters of Dixon Entrance, and passes through a narrow and intricate channel lying north-westward from Portland Inlet, known on the United States' Coast Survey Chart of 1885 as Pearse Channel, until it suddenly deflects southward again at right angles, to re-enter Portland Inlet, thereby appearing to make British territory of Pearse and Wales Islands, and throwing doubt on the nationality of several small islands at the south-western extremity of Wales Island. This latter construction is at the outset in manifest contradiction with the Treaties, which provided "that the island called Prince of Wales' Island shall belong wholly to Russia" (now, by cession, in 1867, to the United States).

There would seem to be ground, in the text of Vancouver, the original explorer and geographer of the region, for supposing that he at one time regarded Pearse Canal of later geographers as the lower part of Portland Canal. But there are very evident reasons for believing that this was not the construction intended by the authors of the Anglo-Russian Treaty of 1825, and that their purpose was the location of the natural boundary-line in the broader channel called Portland Inlet on the Admiralty and the United States' Coast Survey Charts.

For a clear understanding of the subject, Chart No. 7 of Vancouver's Atlas; the British Admiralty Chart, No. 2,431, corrected to June 1882, or any later edition; the United States' Coast Survey Chart, No. 710, of 1885; and the charts of the Coast Pilot of Alaska, recently issued by the United States' Coast Survey, should be consulted.

Of these, photographic copies of Vancouver's Atlas Chart No. 7, and copies of the Coast Survey publications, are herewith sent you. You can doubtless obtain copies of the British Admiralty Chart by application in the proper quarter.

The language of the Treaties is:—

"Commencing from the southernmost point of the Island called Prince of Wales' Island, which point lies in the parallel of 54° 40' north latitude, and between the 131st and the 133rd degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude."

So far the Treaties relate to the water-boundary, and it is to be remembered, as already remarked, that the line so described was intended to leave Prince of Wales' Island Russian territory in 1825, and a possession of the United States in 1867.

No record has been found in print, or otherwise so far as sought, of the circumstances attending the drawing up of the Anglo-Russian Convention of 1825, which would throw light on the understanding of the negotiators on this point; but it may be assumed with confidence that the charts employed in the negotiation were those of Vancouver. They were made by a British officer under the direction of the British Government, and would therefore be acceptable as a standard by that party to the Convention. They were the most recent charts then extant, and for half a century they remained the only authentic charts of that region, the Russians having at that time made no original surveys of importance in this district. Moreover, the wording of the Convention of 1825 is found to be in complete accord with the features presented by Vancouver's Chart, and especially with Chart No. 7 in the atlas accompanying the narrative of his voyage. The description in the Convention seems to be a faithful reproduction of the picture actually present to the eyes of the negotiators in that chart.

The first discrepancy that meets us is, that neither on Vancouver's nor on any other

chart known, does the water-way of Portland Channel strike "the 56th degree of north latitude." On Vancouver's Chart No. 7 it ends in a *cul-de-sac* about 15 miles before the 56th degree is reached. This, however, is of little importance, for, with the better topographical knowledge we now possess, we know that a Conventional line, in continuation of the general trend of the mid-channel line, would strike the 56th degree of north latitude at a distance of some 4 or 5 miles inland.

While Portland Channel, Portland Canal, or Portland Inlet, as it is indifferently styled on the several charts, is, and has long been, readily identified as the main passage inland from the southernmost point of Prince of Wales' Island, the intricate and narrow passage separating Pearse Island from the mainland is practically unsurveyed. It does not appear at all on the Pender Admiralty Charts of 1868. In the United States' Coast Survey Charts it is conjecturally marked by dotted lines.

The fact that the parallel of $54^{\circ} 40'$, by the most recent surveys, enters the mouth of Portland Inlet, that the most navigable channel trends thence directly inland in an almost straight line, that Prince of Wales' Island is in terms excluded from British territory, and that the name used in the Anglo-Russian Convention of 1825 is found on all existing maps, possessing authority, applied to Portland Inlet or Channel, and not to Pearse Channel, lend reason and force to the conviction that it was the intention of the negotiators that the boundary-line should directly follow the broad and natural channel, mid-way between the shores, and extend, if need were, inland in the same general direction until the range of hills, hereafter to be considered, should be reached (as appears in Vancouver's Chart) at or near the 56th parallel.

It is not, therefore, conceived that this water part of the boundary-line can ever be called in question between the two Governments.

There is, however, ample ground for believing that the erroneous premises upon which the negotiators apparently based their fixation of the inland boundary-line along the coast render its true determination and demarcation by monuments a matter of doubt and difficulty in carrying it into practical effect, and that, in prevision of the embarrassments which may follow delay in the establishment of a positive frontier-line, it is the interest and the duty of the two Governments to reach a good understanding which shall forthwith remove all chance for future disagreement.

The Convention of 1825 continues, from the point where the quotation given above ceases, as follows:—

"From this last-mentioned point" [the intersection of the mid-channel line of Portland Channel with the 56th north parallel] "the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude (of the same meridian), and, finally, from the said point of intersection the said meridian-line of the 141st degree in its prolongation as far as the Frozen Ocean." Provided, as the Convention proceeds to stipulate in the second paragraph of the following Article IV, "that whenever the summit of the mountains which extend in a direction parallel to the coast, from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude, shall prove to be at the distance of more than 10 marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this Convention) shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of 10 marine leagues therefrom."

Here, again, there is conclusive internal evidence that the negotiators accepted as a fact, and described in words, the picture presented to their eyes by the chart actually spread before them. If we examine Vancouver's Charts we find the evident reason for the language employed in the Convention. Vancouver, who to his integrity and zeal as a navigator joined an excellent hydrographic faculty, seems to have been but a poor topographer, and represented an impossibly regular land formation, such as could not well exist, and has not been discovered to exist anywhere on the world's surface. His charts exhibit, at a moderate distance from the shore, a uniformly serrated and narrow range of mountains, like an enormous caterpillar, extending, with a general parallelism to the shore, from one end of the region in question to the other, except at scattered points, where valleys intervene, which we now know to be the valleys of the Taku, Stikine, and other rivers. The line projected from the mid-channel line of Portland Channel intersects, at about the 56th degree of north latitude, the backbone range in question; and were the features of Vancouver's Chart a correct representation of the topography, no more excellent and convenient boundary could be imagined than that following the depicted serrated ridge.

It is singular that, among the many charts of the coast, the only one which represents the backbone range as a continuous line, is the chart of the United States Coast Survey. The latter, however, is

of that region now possessed shows that Vancouver's topography is not correct. There is no such range of hills as indicated upon Vancouver's Charts, and as assumed by the negotiators of the Convention of 1825. The topography of the region in question has not as yet been accurately charted, but enough is known of its natural features to wholly disprove the conjectural topography of Vancouver.

Professor William H. Dall, whose researches in Alaska are well known, and whose explorations have so largely contributed to our present knowledge of the geographical and geological character of that country, upon being invited by me to report as to the accuracy of Vancouver's Charts, writes as follows :—

"We have no good topographical maps of this part of Alaska; but, having been engaged nearly nine years exploring and surveying the territory, I assert, without fear of contradiction, that nothing of the sort" [depicted by Vancouver] "exists. We have, instead, what has been aptly called a 'sea of mountains,' composed of short ranges with endless ramifications, their general trend being parallel with the general curve of North-Western America, but, so far as their local parts are concerned, irregular, broken, and tumultuous to the last degree. In certain places, as from Cape Spencer to Yakutat Bay, we have the nearest approach to such a range; but even here there are broad valleys, penetrating an unknown distance, and lateral spurs given off in many directions. These Alps rise conspicuously above their fellows; but to the eastward another peculiarity of the topography is that the hills or summits are nearly uniform in height, without dominating crests and few higher peaks.

"The single continuous range being non-existent, if we attempt to decide on the 'summit' of the mountains we are at once plunged into a sea of uncertainty. Shall we take the ridge of the hills nearest the beaches? This would give us, in many places, a mere strip of territory not more than 3 miles wide, meandering in every direction. Shall we take the highest summits of the general mass of the coast ranges? Then we must determine the height of many thousands of scattered peaks, after which the question will arise between every pair of equal height and those nearest to them. Shall we skip this way or that, with our zigzag, impossible to survey except at fabulous expense and half-a-century of labour. These peaks are densely clothed with trees and deep soft moss and thorny underbrush, as impenetrable and luxuriant as the savannahs of Panamá.

"In short, the 'summit of the mountains' is wholly impracticable. We may then fall back on the 'line parallel with the windings of the coast.' Let any one, with a pair of drawing compasses, having one leg a pencil point, draw this line on the United States' Coast Survey Map of Alaska (No. 960 of 1884). The result is sufficient to condemn it. Such a line could not be surveyed; it crosses itself in many places, and indulges in myriads of knots and tangles. The line actually drawn as the boundary on that Map omits the intricacies, and is intended merely as an approximation. It would be subject to almost insuperable difficulties for the surveyor, simplified as it is, and the survey would cost more than the whole territory cost originally. These are the false geographical assumptions on which the language of the Treaty was based, and the difficulties they offer when it is proposed to realize, by survey, the verbal boundary."

The words of Mr. Dall are those of a practical man, conversant with the region, and experienced in the class of difficulties in the way of an actual demarcation of the Conventional frontier.

The line traced upon the Coast Survey Map of Alaska, No. 960, of which copies are sent to you herewith, is as evidently conjectural and theoretical as was the mountain "summit" line traced by Vancouver. It disregards the mountain topography of the country, and traces a line, on paper, about 30 miles distant from the general contour of the coast. The line is a winding one, with no salient landmarks or points of latitude and longitude to determine its position at any point. It is, in fact, such a line as is next to impossible to survey through a mountainous region; and its actual location there, by a Surveying Commission, would be nearly as much a matter of conjecture as tracing it on paper with a pair of dividers.

If the coast and interior country from Dixon Entrance to Mount St. Elias were already accurately surveyed, its topography charted, and the heights of all its "summits" determined, it would even then be impossible, except by Conventional compromise, to locate such a line as the Treaties prescribe. To illustrate this, a case nearer home may be supposed. Examine, for instance, an Ordnance Survey Map of Scotland, and attempt to mark out upon it a line which, starting from the "intersection" of the mid-channel line of the Firth of Solway and the 55th parallel, shall thence follow the "summit of the mountains" northward, as far as the 58th parallel, and which, where such "summit" shall be more than "10 marine leagues" from the Atlantic coast, shall follow the "winding" thereof. If the tracing of such a line on paper, when every material fact of contour and

altitude is precisely known, were found to offer difficulty, the obstacles to the delimitation of an actual frontier, with landmarks and monuments, through a wholly unexplored country, much more broken than Scotland is, and with a sea-coast scarcely less intricate, could not fail to be many fold greater.

As a rule, a theoretical frontier, based on the assumed contour of mountain-chains, is more difficult to determine with accuracy than one following known watercourses or bounded by right lines having geodetic termini.

Rude and inaccessible as is the "sea of mountains" of South-eastern Alaska, and forbidding as it may appear for ordinary purposes of inland settlement, it should be remembered that it is a mineral-bearing region, the geological continuation of the gold and silver belt of California and Nevada, and may at any time spring into an importance not now calculable. It is of evident advantage to both countries to agree upon some boundary-line capable of survey at a reasonable cost, or so precisely and practically described that in case of need any given point thereon may be readily determined in advance of a general survey, and to do this while the whole question of local values is in abeyance.

* * * * *

I am, &c.
(Signed) T. F. BAYARD.

Accompaniments.

1. Vancouver's Chart, No. 7. (Photographed.)
2. United States' Coast Survey Chart of Alaska No. 960, 1884.
3. United States' Coast Survey Chart No. 710, Revilla Gigedo Channel, 1885.
4. "United States' Pacific Coast Pilot," Alaska, Part I, 1883.
5. Treaty between the United States and Russia for the cession of Alaska, March 30, 1867.

Inclosure 2 in No. 3.

Treaty concerning the Cession of the Russian Possessions in North America by His Majesty the Emperor of All the Russias to the United States of America.

Concluded March 30, 1867.

Ratified by the United States May 28, 1867.

Exchanged June 20, 1867.

Proclaimed by the United States June 20, 1867.

By the President of the United States of America :

A Proclamation.

WHEREAS a Treaty between the United States of America and His Majesty the Emperor of All the Russias was concluded and signed by their respective Plenipotentiaries at the city of Washington, on the 30th day of March last, which Treaty, being in the English and French languages, is, word for word, as follows :—

The United States of America and His Majesty the Emperor of All the Russias, being desirous of strengthening, if possible, the good understanding which exists between them, have, for that purpose, appointed as their Plenipotentiaries: the President of the United States, William H. Seward, Secretary of State; and His Majesty the Emperor of All the Russias, the Privy Counsellor Edouard de Stoeckl, his Envoy Extraordinary and Minister Plenipotentiary to the United States.

Sa Majesté l'Empereur de Toutes les Russies et les États-Unis d'Amérique, désirant raffermir, s'il est possible, la bonne intelligence qui existe entre eux, ont nommé, à cet effet, pour leurs Plénipotentiaires, savoir: Sa Majesté l'Empereur de Toutes les Russies, le Conseiller Privé Édouard de Stoeckl, son Envoyé Extraordinaire et Ministre Plénipotentiaire aux États-Unis; et le Président des États-Unis, le Sieur William H. Seward, Secrétaire d'État, les-

And the said Plenipotentiaries, having exchanged their full powers, which were found to be in due form, have agreed upon and signed the following Articles:—

ARTICLE I.

His Majesty the Emperor of All the Russias agrees to cede to the United States, by this Convention, immediately upon the exchange of the ratifications thereof, all the territory and dominion now possessed by His said Majesty on the Continent of America and in the adjacent islands, the same being contained within the geographical limits herein set forth, to wit: The eastern limit is the line of demarcation between the Russian and the British possessions in North America, as established by the Convention between Russia and Great Britain of the 16th (28th) February, 1825, and described in Articles III and IV of said Convention, in the following terms:—

“Commencing from the southernmost point of the island called Prince of Wales’ Island, which point lies in the parallel of 54° 40’ north latitude, and between the 131st and the 133rd degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last-mentioned point, the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude (of the same meridian); and, finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the Frozen Ocean.

“IV. With reference to the line of demarcation laid down in the preceding Article, it is understood—

“1st. That the island called Prince of Wales’ Island shall belong wholly to Russia,” (now, by this cession, to the United States).

“2nd. That whenever the summit of the mountains which extend in a direction parallel to the coast from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude shall prove to be at the distance of more than 10 marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this Convention) shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of 10 marine leagues therefrom.”

quele, après avoir échangé leur pleins pouvoirs, trouvés en bonne et due forme, ont arrêté et signé les Articles suivants:—

ARTICLE I^{er}.

Sa Majesté l’Empereur de Toutes les Russies s’engage, par cette Convention, à céder aux États-Unis, immédiatement après l’échange des ratifications, tout le territoire avec droit de souveraineté actuellement possédé par Sa Majesté sur le Continent d’Amérique ainsi que les îles contigües, le dit territoire étant compris dans les limites géographiques ci-dessous indiquées, savoir: la limite orientale est la ligne de démarcation entre les possessions Russes et Britanniques dans l’Amérique du Nord, ainsi qu’elle est établie par la Convention conclue entre la Russie et la Grande-Bretagne, le 16 (28) Février, 1825, et définie dans les termes suivants des Articles III et IV de la dite Convention:—

“A partir du point le plus méridional de l’Île dite Prince of Wales, lequel point se trouve sous la parallèle du 54° 40’ de latitude nord, et entre le 131° et le 133° degré de longitude ouest (méridien de Greenwich), la dite ligne remontera, au nord le long de la passe dite Portland Channel, jusqu’au point de la terre ferme, où elle atteint le 56° degré de latitude nord; de ce dernier point la ligne de démarcation suivra la crête des montagnes situées parallèlement à la côte jusqu’au point d’intersection du 141° degré de longitude ouest (même méridien); et, finalement, du dit point d’intersection la même ligne méridienne du 141° degré formera, dans son prolongement jusqu’à la Mer Glaciale, la limite entre les possessions Russes et Britanniques sur le continent de l’Amérique Nord-Ouest.

“IV. Il est entendu, par rapport à la ligne de démarcation déterminée dans l’Article précédent—

“1. Que l’Île dite Prince of Wales appartiendra toute entière à la Russie” (mais dès ce jour en vertu de cette cession, aux États-Unis).

“2. Que partout où la crête des montagnes qui s’étendent dans une direction parallèle à la côte, depuis le 56° degré de latitude nord au point d’intersection du 141° degré de longitude ouest se trouverait à la distance de plus de 10 lieues marines de l’océan, la limite entre les possessions Britanniques et la lisière de côte mentionnée ci-dessus comme devant appartenir à la Russie (c’est-à-dire la limite des possessions cédées par cette Convention), sera formée par une ligne parallèle aux sinuosités de la côte et qui ne pourra jamais en être éloignée que de 10 lieues marines.”

The western limit within which the territories and dominions conveyed, are contained, passes through a point in Behring's Straits on the parallel of 65° 30' north latitude, at its intersection by the meridian which passes midway between the Islands of Krusenstern, or Ignalook, and the Island of Ratmanoff, or Noonarbook, and proceeds due north, without limitation, into the same Frozen Ocean. The same western limit, beginning at the same initial point, proceeds thence in a course nearly south-west, through Behring's Straits and Behring's Sea, so as to pass midway between the north-west point of the Island of St. Lawrence and the south-east point of Cape Choukotski, to the meridian of 172° west longitude; thence, from the intersection of that meridian, in a south-westerly direction, so as to pass midway between the Island of Attou and the Copper Island of the Kormandorski couplet or group in the North Pacific Ocean, to the meridian of 193° west longitude, so as to include in the territory conveyed the whole of the Aleutian Islands east of that meridian.

ARTICLE II.

In the cession of territory and dominion made by the preceding Article are included the right of property in all public lots and squares, vacant lands, and all public buildings, fortifications, barracks, and other edifices which are not private individual property. It is, however, understood and agreed that the churches which have been built in the ceded territory by the Russian Government shall remain the property of such members of the Greek Oriental Church resident in the territory as may choose to worship therein. Any Government archives, papers, and documents, relative to the territory and dominion aforesaid, which may be now existing there, will be left in the possession of the Agent of the United States, but an authenticated copy of such of them as may be required will be at all times given by the United States to the Russian Government, or to such Russian officers or subjects, as they may apply for.

ARTICLE III.

The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within three years; but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion.

La limite occidentale des territoires cédés passe par un point au détroit de Behring sous la parallèle du 65° 30' de latitude nord à son intersection par le méridien qui sépare à distance égale les Iles Krusenstern ou Ignalook et l'Ile Ratmanoff ou Noonarbook et remonte en ligne directe, sans limitation, vers le nord, jusqu'à ce qu'elle se perde dans la Mer Glaciale. Commencant au même point de départ, cette limite occidentale suit de là un cours presque sud-ouest, à travers le détroit de Behring et la Mer de Behring, de manière à passer à distance égale entre le point nord-ouest de l'Ile Saint Laurent et le point sud-est du Cap Choukotski jusqu'au méridien 172° de longitude ouest; de ce point, à partir de l'intersection de ce méridien, cette limite suit une direction sud-ouest de manière à passer à distance égale entre l'Ile d'Attou et l'Ile Copper du groupe d'îlots Kormandorski dans l'Océan Pacifique Septentrional jusqu'au méridien de 193° de longitude ouest, de manière à enclaver, dans le territoire cédé, toutes les Iles Aléoutes situées à l'est de ce méridien.

ARTICLE II.

Dans le territoire cédé par l'Article précédent à la souveraineté des États-Unis sont compris le droit de propriété sur tous les terrains et places publics, terres inoccupées, toutes les constructions publiques, fortifications, casernes, et autres édifices qui ne sont pas propriété privée individuelle. Il est toutefois entendu et convenu que les églises construites par le Gouvernement Russe sur le territoire cédé resteront la propriété des membres de l'Église Grecque Orientale résidant dans ce territoire et appartenant à ce culte. Tous les archives, papiers, et documents du Gouvernement ayant trait du susdit territoire, et qui y sont maintenant déposés, seront placés entre les mains de l'Agent des États-Unis, mais les États-Unis fourniront toujours, quand il y aura lieu, des copies légalisées de ces documents au Gouvernement Russe, au officiers ou sujets Russes qui pourront en faire la demande.

ARTICLE III.

Il est réservé aux habitants du territoire cédé le choix de garder leur nationalité et de rentrer en Russie dans l'espace de trois ans; mais s'ils préfèrent rester dans le territoire cédé, ils seront admis, à l'exception toutefois des tribus sauvages, à jouir de tous les droits, avantages, et immunités des citoyens des États-Unis, et ils seront maintenus et protégés dans le plein exercice de leur liberté, droit de propriété, et religion. Les tribus sauvages seront assujéties aux

The uncivilized tribes will be subject to such Laws and Regulations as the United States may from time to time adopt in regard to aboriginal tribes of that country.

ARTICLE IV.

His Majesty the Emperor of All the Russias shall appoint, with convenient dispatch, an Agent or Agents for the purpose of formally delivering to a similar Agent or Agents appointed on behalf of the United States, the territory, dominion, property, dependencies, and appurtenances which are ceded as above, and for doing any other act which may be necessary in regard thereto. But the cession, with the right of immediate possession, is nevertheless to be deemed complete and absolute on the exchange of ratifications, without waiting for such formal delivery.

ARTICLE V.

Immediately after the exchange of the ratifications of this Convention, any fortifications or military posts which may be in the ceded territory shall be delivered to the Agent of the United States, and any Russian troops which may be in the territory shall be withdrawn as soon as may be reasonably and conveniently practicable.

ARTICLE VI.

In consideration of the cession aforesaid, the United States agree to pay at the Treasury in Washington, within ten months after the exchange of the ratifications of this Convention, to the Diplomatic Representative or other Agent of His Majesty the Emperor of All the Russias duly authorized to receive the same, 7,200,000 dollars in gold. The cession of territory and dominion herein made is hereby declared to be free and unencumbered by any reservations, privileges, franchises, grants, or possessions by any associated Companies, whether corporate or incorporate, Russian or any other, or by any parties, except merely private individual property holders; and the cession hereby made conveys all the rights, franchises, and privileges now belonging to Russia in the said territory or dominion and appurtenances thereto.

ARTICLE VII.

When this Convention shall have been duly ratified by the President of the United States, by and with the advice and consent of the Senate, on the one part, and on the other by His Majesty the Emperor of All the Russias, the ratifications shall be ex-

Lois et Règlements que les États-Unis pourront adopter de temps en temps à l'égard des tribus aborigènes de ce pays.

ARTICLE IV.

Sa Majesté l'Empereur de Toutes les Russies nommera, aussitôt que possible, un Agent ou des Agents chargés de remettre formellement à l'Agent ou aux Agents nommés par les États-Unis, le territoire, la souveraineté, les propriétés, dépendances, et appartenances ainsi cédés, et de dresser tout autre acte qui sera nécessaire à l'accomplissement de cette transaction. Mais la cession, avec le droit de possession immédiate, doit toutefois être considéré complète et absolue à l'échange des ratifications, sans attendre la remise formelle.

ARTICLE V.

Immédiatement après l'échange des ratifications de cette Convention, les fortifications et les postes militaires qui se trouveront sur le territoire cédé seront remis à l'Agent des États-Unis, et les troupes Russes qui sont stationnées dans le dit territoire seront retirées dans un terme praticable et qui puisse convenir aux deux parties.

ARTICLE VI.

En considération de la susdite cession, les États-Unis s'engagent à payer à la Trésorerie à Washington dans le terme de dix mois après l'échange des ratifications de cette Convention, 7,200,000 dollars en or, au Représentant Diplomatique ou tout autre Agent de Sa Majesté l'Empereur de Toutes les Russies dûment autorisé à recevoir cette somme. La cession du territoire avec droit de souveraineté faite par cette Convention est déclarée libre et dégagée de toutes réservations, privilèges, franchises, ou possessions par des Compagnies Russes ou tout autre, légalement constituées ou autrement, ou par des Associations, sauf simplement les propriétaires possédant des biens privés individuels; et la cession ainsi faite transfère tous les droits, franchises, et privilèges appartenant actuellement à la Russie dans le dit territoire et ses dépendances.

ARTICLE VII.

Lorsque cette Convention aura été dûment ratifiée par Sa Majesté l'Empereur de Toutes les Russies d'une part, et par le Président des États-Unis avec l'avis et le consentement du Sénat de l'autre, les ratifications en seront échangées à Washington

changed at Washington within three months from the date hereof, or sooner if possible.

In faith whereof, the respective Plenipotentiaries have signed this Convention, and thereto affixed the seals of their arms.

Done at Washington, the 30th day of March, in the year of our Lord 1867.

(L.S.) WILLIAM H. SEWARD.

(L.S.) EDOUARD DE STOECKL.

dans le terme de trois mois, à compter du jour de la signature, ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires respectifs ont signé cette Convention, et y ont apposé le sceau de leur armes.

Fait à Washington, le 18 (30) jour de Mars, 1867.

(L.S.) EDOUARD DE STOECKL.

(L.S.) WILLIAM H. SEWARD.

And whereas the said Treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington on this 20th day of June by William H. Seward, Secretary of State of the United States, and the Privy Councillor Edouard de Stoeckl, the Envoy Extraordinary of His Majesty the Emperor of All the Russias, on the part of their respective Governments.

Now, therefore, be it known that I, Andrew Johnson, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every clause and Article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington, this 20th day of June, in the year of our Lord 1867, and of the independence of the United States the ninety-first.

(L.S.) ANDREW JOHNSON.

By the President:

(Signed) WILLIAM H. SEWARD,
Secretary of State.

No. 4.

The Marquis of Salisbury to Sir L. West.

(No. 4.)

(Telegraphic.)

Foreign Office, January 20, 1886, 4.5 P.M.

SEND home six copies of "United States' Coast and Geodetic Survey, Pacific Coast Pilot, Alaska," Part I; published Washington Government Print Office, 1883.

No. 5.

Mr. Armit to Sir P. Currie.—(Received January 21.)

Sir,

Hudson's Bay House, London, January 20, 1886.

I AM directed by the Governor and Committee of the Hudson's Bay Company to transmit the accompanying Memorandum on the proposed change of the eastern boundary of Alaska, which, with the inclosed Map, they have received from the Company's Commissioner at Winnipeg.

The Company being interested in the trade of the territory adjoining Alaska, as shown in the Map, will be glad to be favoured with any propositions which may be laid before Her Majesty's Government in view of the settlement of the frontier-line between Alaska and British Columbia.

I have, &c.

(Signed) W. ARMIT, *Secretary.*

Inclosure in No. 5.

Memorandum on the proposed Change of the Eastern Boundary of Alaska.

THE following appeared in the late Message of the President of the United States to Congress ;—

“The frontier-line between Alaska and British Columbia, as defined by the Treaty of Cession with Russia, follows the demarcation assigned in a prior Treaty between Great Britain and Russia. Modern exploration discloses that this ancient boundary is impracticable, as a geographical factor, in the unsettled condition of the region. The question has lacked importance ; but the discovery of mineral wealth in the territory the line is supposed to traverse admonishes that the time has come when an accurate knowledge of the boundary is needful to avert jurisdictional complications. I recommend, therefore, that provision be made for a preliminary reconnoissance by officers of the United States to the end of acquiring more precise information upon the subject. I have invited Her Majesty's Government to consider with us the adoption of a more convenient line, to be established by modern observations, or by known geographic features, without the necessity of an expensive survey of the whole.

“The present boundary between Alaska and British territory is that fixed by the Convention between Russia and Great Britain of the 16th (28th) February, 1825, and described in Articles III and IV of the said Convention in the following terms :—

“‘III.—Commencing from the southernmost point of the island called Prince of Wales' Island, which point lies in the parallel of 54° 40' north latitude, and between the 131st and the 133rd degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel as far as the point of the continent where it strikes the 56th degree of the north latitude ; from this last-mentioned point the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude (of the same meridian), and, finally, from the said point of intersection the said meridian line of 141st degree in its prolongation as far as the Frozen Ocean.

“‘IV.—With reference to the line of demarcation laid down in the preceding Article, it is understood—

“‘1. That the island called Prince of Wales' Island shall belong wholly to Russia' (now, by this cession, to the United States).

“‘2. That whenever the summit of the mountains, which extend in a direction parallel to the coast from the 56th degree of north latitude to the point of intersection of the 141st degree of the west longitude, shall prove to be at the distance of more than 10 marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this Convention) shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of 10 marine leagues therefrom.’”

In the Treaty by which Russia cedes her possessions in North America to the United States, dated the 30th March, 1867, Article I, in defining the boundaries, declares :—

“The eastern limit is the line of demarcation between the Russian and British possessions in North America, as established by the Convention between Russia and Great Britain of the 16th (28th) February, 1825, and described in Articles III and IV” (as quoted above).

From this it is clear that the maximum extent of American territory on the mainland is 10 marine leagues from the sea-shore. There can be no doubt Her Majesty's Government will give due attention to any proposal made by the Government of the United States, and will endeavour, as far as possible, to meet their wishes. The President, in his Message, does not indicate the frontier-line which will be suggested. Until, therefore, the views of the Washington Government are made known it will be impossible to do more than obtain some hints as to what their proposal probably may be. In the Report of the population, industries, and resources of Alaska, by Ivan Petroff, p. 81, published officially in the tenth Census of the United States, 1880, vol. viii, occurs a suggestion for the change of boundary. From the similarity of the words used it seems probable that the President, when writing his message, had this Report before him. If this be so the next paragraph in the Report may possibly throw some light upon the proposal to be made by the United States' Government.

“It may be stated here that a line from the point above mentioned on the 56th parallel to the intersection of the 65th parallel, with the 141st meridian, would nearly follow the present line in South-Eastern Alaska, while it would in the north

States one of the head branches of the Yukon River, the main artery of trade of the continental portion of Alaska, which is now crossed by the boundary at a point considerably below the head of navigation."

The result of the adoption of such a proposal would be for a considerable distance an almost entirely new frontier, giving a large tract of territory to the United States. This territory is acknowledged by the President, in his Message, to contain valuable mineral deposits. It is also of great value for furs, as I am informed by Mr. Factor Alexander, the Company's officer in charge of New Caledonia District, that this tract of country produces a considerable quantity of skins.

The adoption of the proposed frontier would place the head-quarters of the River Yukon in American territory. The river, after flowing through British territory, again enters American Alaska. From such an arrangement questions would be likely to arise. At present the river, after crossing the boundary, never again enters into British territory.

The present boundary, giving to the United States all the islands, and on the mainland 10 marine leagues from the coast, seems to be a boundary easily ascertained.

In p. 165 of the Report, from which quotations have already been made, it is stated that—

"The inhabitants of the country, from the intersection of the 141st meridian to the southern boundary of Alaska, which is what is commonly called South-Eastern Alaska, are strictly confined to the sea-coast by the natural barrier of stupendous mountains that rise everywhere within a short distance of the shore along the whole length of the territory."

Article VI of the above-named Treaty of 1825 is as follows:—

"It is understood that the subjects of His Britannic Majesty, from whatever quarters they may arrive, whether from the ocean or from the interior of the continent, shall for ever enjoy the right of navigating freely and without any hindrance whatever, all the rivers and streams which, in their course towards the Pacific Ocean, may cross the line of demarcation upon the line of coast described in Article III of the present Convention."

To what extent, if at all, the United States are bound by this Article I am not able to state, but the right is one of importance, as affecting the Stickeen River on entry into British territory.

A Map marking both the present boundary and the suggested boundary accompanies this.

Winnipeg, December 24, 1885.

No. 6.

The Marquis of Salisbury to Sir L. West.

(No. 21.)

Sir,

Foreign Office, January 23, 1886.

REFERRING to my despatch No. 8A of the 12th instant, I transmit, for your information, a copy of a letter from the United States' Minister in London inclosing a statement of facts embodied in a despatch which he has received from the United States' Secretary of State on the question of the delimitation of the Alaska boundary, together with a copy of a letter from the Hudson's Bay Company on the same subject.*

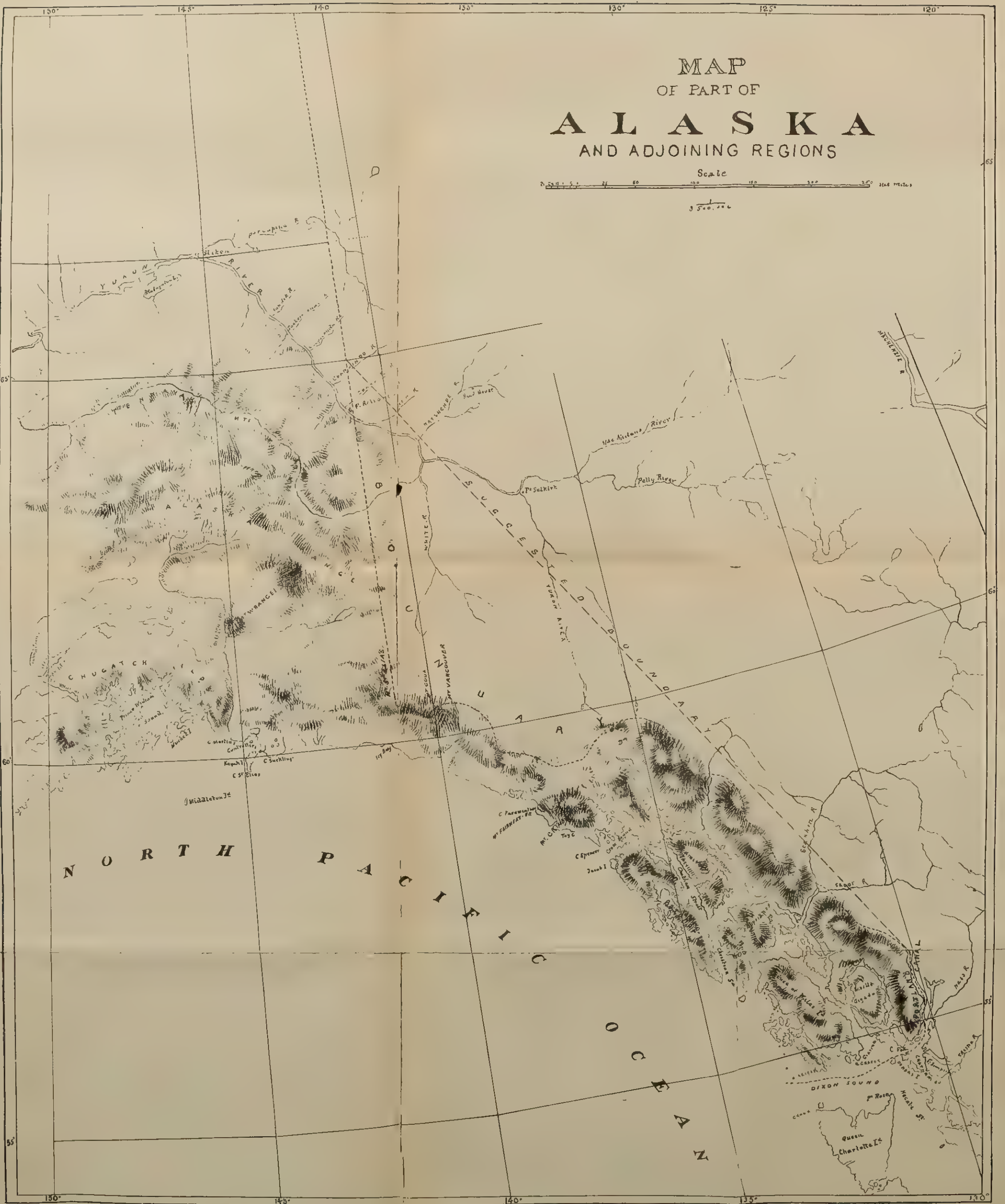
The maps referred to in this correspondence have been forwarded to the Intelligence Department of the War Office in order that they may be reproduced, and copies of them will be furnished to you as soon as they are completed.

I also inclose a copy of a letter on this question, which has been addressed to the Colonial Department.†

I am, &c.
(Signed) SALISBURY.

* Nos. 3 and 5.

† No. 2.



Photocircographed and printed at the Ordnance Survey Office Southampton, for the Intelligence Branch, War Office. 1886.

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No. 7.

Sir J. Pauncefote to Sir R. Herbert.

(Confidential.)

Sir,

Foreign Office, January 23, 1886.

WITH reference to the letter from this Department of the 16th instant, I transmit herewith, for the information of Secretary Colonel Stanley, a copy of a letter from the United States' Minister in London, inclosing a statement of facts embodied in a despatch which he has received from the United States' Secretary of State on the question of the Alaska boundary, together with a copy of a letter from the Hudson's Bay Company on the same subject.*

The maps referred to in this correspondence have been forwarded to the Intelligence Department of the War Office, in order that they may be reproduced, and copies of them will be furnished for the use of the Colonial Office as soon as they are completed.

I am to add that Her Majesty's Minister at Washington has been instructed to procure copies of the work referred to in Mr. Phelps' letter of the 19th instant under the title of the "United States' Coast and Geodetic Survey, Pacific Coast Pilot, Alaska," Part 1 and a copy of the same will also be supplied to you whenever it is received.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 8.

The Marquis of Salisbury to Mr. Phelps.

Sir,

Foreign Office, January 26, 1886.

I HAVE the honour to acknowledge the receipt of your letter of the 19th instant, forwarding a statement of the facts relating to the boundary between the British possessions in North America and the Territory of Alaska, as embodied in a despatch which you have received from your Government, accompanied by copies of the maps referred to in Mr. Bayard's despatch.

In reply, I have the honour to inform you that the proposal of the United States' Government for the appointment of a Joint Commission for the purpose of arriving at an understanding in regard to the boundary-line separating the Territories in question will receive the immediate attention of Her Majesty's Government.

I beg leave, at the same time, to acquaint you that I have instructed Her Majesty's Minister at Washington to send home some copies of the work called "United States' Pacific Coast Pilot," and I shall not fail, on receiving them, to return the volume which you have been so good as to forward to this Department.

In the meanwhile, application will be made to the proper Department of Her Majesty's Government for copies of the British and Canadian official maps referred to in the statement inclosed with your letter of the 19th instant, and I shall have much pleasure in supplying you with copies of the same as soon as I receive them.

I have, &c.

(Signed) SALISBURY.

No. 9.

Sir P. Currie to Mr. Armit.

Sir,

Foreign Office, January 26, 1886.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your letter of the 20th instant, inclosing a Memorandum and a map relating to the boundary between the British possessions in North America and the Territory of Alaska.

In reply, I am to request that you will state to the Governor and Committee of the Hudson's Bay Company that a communication on this subject has been received from the Government of the United States, which is now under the consideration of Her Majesty's Government.

I am, &c.

(Signed) P. CURRIE.

Sir P. Currie to Sir R. Herbert.

Sir,

Foreign Office, January 30, 1886.

WITH reference to my letters of the 16th and 23rd instant, I am directed by the Marquis of Salisbury to transmit to you, to be laid before Secretary Colonel Stanley, copies of the maps relating to the Alaska boundary, forwarded with Mr. Phelps' letter of the 19th instant, and with the letter from the Hudson's Bay Company of the 20th instant copies of which have already been furnished to the Colonial Office.

I am, &c.
(Signed) P. CURRIE.

The Marquis of Salisbury to Sir L. West.

(No. 31.)

Foreign Office, January 30, 1886.

[Sending copies of the three maps inclosed in Mr. Phelps' note of January 19, and of the one inclosed in the letter from the Hudson's Bay Company of January 20.]

Mr. Bramston to Sir P. Currie.—(Received February 2.)

(Confidential.)

Sir,

Downing Street, February 1, 1886.

I AM directed by Colonel Stanley to acknowledge the receipt of your letters of the 16th and 23rd ultimo, relating to the proposal made on the part of the Government of the United States for ascertaining and settling the boundary between the British possessions in North America and Alaska.

I am to inclose, for Lord Salisbury's information, a copy of a despatch which Colonel Stanley proposes to address to the Governor-General of Canada on this subject.

If the Government of Canada should agree in the proposals made by the United States' Government, Colonel Stanley thinks that it might be convenient that they should communicate through the Governor-General direct with Her Majesty's Minister at Washington upon the subject; in order to save time, should Lord Salisbury agree in this course, Colonel Stanley will instruct the Governor-General accordingly by telegraph.

The Secretary of State for Foreign Affairs will no doubt consider with the Lords Commissioners of the Treasury whether, in the event of a Commission being agreed upon, the cost of the British share of the expenses should not be divided equally between this country and Canada.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure in No. 12.

Colonel Stanley to the Marquis of Lansdowne.

(Secret.)

My Lord,

Downing Street, February , 1886.

I HAVE the honour to transmit to your Lordship herewith copies of two letters from the Foreign Office, with their inclosures,* relating to a proposition made on the part of the Government of the United States, "that a Commission be agreed on by the Governments of the United States and of Her Majesty, to be composed of Commissioners to be appointed by each, who shall, under such instructions and conditions as may be mutually concurred in, and upon such surveys and examinations as may be found necessary and practicable, either designate and establish the boundary-line" between the British possessions in North America and Alaska, "or report to the respective Governments such facts, data, and recommendations as may afford a basis for its establishment by Convention between them."

As your Government are aware, difficulties connected with the Alaska boundary arose

in reference to the case of Peter Martin, which formed the subject of correspondence between the Secretary of State and the Governor-General of Canada in 1876 and 1877, to which correspondence I would beg to refer you.

The papers now forwarded to you enter so fully upon the question of the present position of the boundary that it appears unnecessary for me to do more than to forward them to you, in order that you may lay them before your Ministers, with a request that Her Majesty's Government may be furnished, at the earliest possible date, with the expression of their views in regard to the proposal of the United States' Government.

You will observe that, with a view to providing for the expenses connected with the proposed Commission, the Government of the United States wish to arrive at an agreement respecting it before the 1st April next.

I have, &c.

No. 13.

Sir C. Tupper to Sir Villiers Lister.—(Received February 2.)

Office of the High Commissioner for Canada,

Dear Sir Villiers Lister,

9, Victoria Chambers, London, February 2, 1886.

I UNDERSTAND that the Hudson's Bay Company have addressed a letter (20th January) to the Foreign Office on the subject of the eastern boundary of Alaska, with which a map was inclosed.

I am anxious to get a copy of the map in question, and should, therefore, be much obliged if you could kindly lend it to me for a day or two. I would then have a copy of it made, and return it to you.

Believe me, &c.

(Signed) CHARLES TUPPER.

No. 14.

The Marquis of Salisbury to Mr. West.

(No. 35.)

Sir,

Foreign Office, February 5, 1886.

WITH reference to my despatch No. 31 of the 31st ultimo, I transmit, for your information and guidance, copies of the correspondence as marked in the margin,* in regard to the question of the Alaska boundary.

In accordance with the suggestion made by Colonel Stanley, I request that you will, in order to save time, place yourself in direct communication on the subject with the Governor-General of Canada, on hearing from his Excellency that his Government are disposed to accept the proposals made by the Government of the United States in regard to this question.

I am, &c.

(Signed) SALISBURY.

No. 15.

Sir J. Pauncefote to Sir R. Herbert.

(Confidential.)

Sir,

Foreign Office, February 5, 1886.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your letter of the 1st instant, relative to the proposal made by the Government of the United States for ascertaining and settling the boundary between the British possessions in North America and the Territory of Alaska.

In reply, I am to request that you will state to Secretary Colonel Stanley that Lord Salisbury concurs in the terms of the despatch which it is proposed to address to the Governor-General of Canada on the subject.

Lord Salisbury also agrees in the view that it would be expedient, in order to save time, should the Government of Canada take a favourable view of the proposals made by the Government of the United States, that the Governor-General of the Dominion should

* Nos. 12 and 15.

communicate directly in regard to this question with Her Majesty's Minister at Washington. Lord Salisbury would suggest, for Colonel Stanley's consideration, that it is desirable that copies of all the correspondence which may take place between the Marquis of Lansdowne and Sir Lionel West on the matter should be transmitted to this country.

With reference to the question as to the expenses to be incurred on account of any Joint Commission being equally divided between this country and Canada, I am to request that you will inform Colonel Stanley that the Secretary of State for Foreign Affairs no doubt will place himself in communication with the Lords of the Treasury.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 16.

The Marquis of Salisbury to Mr. Phelps.

Sir,

Foreign Office, February 6, 1886.

REFERRING to the letter from this Department of the 26th ultimo, I have the honour to return to you, herewith, the volume entitled "United States' Pacific Coast Pilot," which accompanied your letter of the 19th ultimo, relative to the question of the Alaska boundary.

I have, &c.

(Signed) SALISBURY.

No. 17.

Mr. Wingfield to Sir P. Currie.—(Received February .)

(Confidential.)

Sir,

Downing Street, February 6, 1886.

WITH reference to your letter of the 5th instant and to previous correspondence relative to the Alaska Boundary question, I am directed by the Secretary of State for the Colonies to transmit to you, for the information of the Secretary of State for Foreign Affairs, copies of certain Confidential papers which have been communicated to this Department by the High Commissioner for Canada.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure 1 in No. 17.

Mr. Macpherson to Sir C. Tupper.

My dear Sir Charles,

Homburg, July 2, 1884.

I RECEIVED the inclosed from Sir John some little time ago, and I should have sent it you ere now.

Sincerely, &c.

(Signed) D. L. MACPHERSON.

Inclosure 2 in No. 17.

Mr. Dall to Dr. Dawson.

United States' Coast and Geodetic Survey Office, Washington,

April 24, 1884.

My dear Sir,

YOUR note is received. I am glad you are pleased with the map. In regard to the Dease Lake region I have the 1875 map, but the maps of that region are so contradictory that I thought it was best to take the river, &c., from the W. U. Telegraph surveys, and so have all that part uniform, especially as the map of 1875 bears internal evidence of being a mere sketch. Hunter's map, the Russian maps, the Blake maps, and the 1875 map differ in the most extraordinary way among themselves. New surveys are needed.

The matter of the boundary should be stirred up. The language of the Treaty of 1825 is so indefinite, that were the region included for any cause to become suddenly of evident value, or if any serious international question were to arise regarding jurisdiction, there would be no means of settling it by the Treaty. There being no natural boundary, and the continuous range of mountains parallel to the coast, shown on Vancouver's charts, like a long caterpillar, having no existence as such, the United States would undoubtedly wish to fall back on the "line" parallel to the winding of the coast, and which shall never exceed the distance of 10 marine leagues therefrom of the Treaty. It would, of course, be impracticable to trace any such winding line over that "sea of mountains." I should think that the bottom of the nearest valley parallel to the coast might, perhaps, be traced, and its stream form a natural boundary; even then it would be difficult to determine the line between one valley and the next. Before the question has attained any importance it should be referred to a Committee of Geographers, a survey should be made, and a new Treaty should be made stating determinable boundaries. Perhaps at some time you may be able to set the ball in motion on your side, and it would be only a matter of time when it would follow here.

Yours, &c.
(Signed) WM. H. DALL.

Inclosure 3 in No. 17.

Mr. Cameron to Sir C. Tupper.

Dear Sir Charles,

Sheerness, November 12, 1884.

I SENT you last night my Memorandum on the Honourable Mr. Smith's letter about the eastern boundary of British Columbia.

I had not the means by me of having it stitched, and, desiring not to delay its dispatch, sent it off unsewn; will you oblige by having the stitching done?

I now send you the letter of Mr. Dall about the Alaska boundary, with Sir John MacDonald's indorsed instructions.

Mr. Herbert, in his letter of the 29th July, referred to your communication to him as an application "to inspect any documents in this Department (Colonial Office) which may tend to show the intention of Parliament as to the true location of the eastern boundary of British Columbia."

Mr. Meade, in writing to you on the 29th July, 1884, to comply with your request, used similar language; and on the 2nd September, 1884, Mr. Wingfield, telling me I might enter on the work, again used similar language.

But I had no authority to investigate the Alaska Boundary question, and there is this difference between it and the British Columbian eastern boundary—the former is one affecting colonial interests only; the latter is Imperial, having to do with an international boundary.

I shall be glad to investigate it if desired. When engaged in marking the 49th north latitude parallel, I was called upon to make a Report on the Alaska boundary, and to render an estimate of the cost of its demarcation. This I did somewhat fully. My estimate would now have to be reduced by the difference of the cost of material, supplies, and labour which would arise from the increased facilities offered by settlement of Vancouver's Island, &c.

Upon Mr. Dall's suggestions I would remark that, before the question is opened with the United States' Government, it would be well for the Canadian Government to have a previous clear knowledge of the topography of the possible boundary-line.

To survey the country in conjunction with United States' people, and to agree to come to fresh terms on the result of such a survey, would be an invitation to them to dispute over every inch of the ground. The meridian line from Mount St. Elias is a simple enough matter, but not so the line from the south up to Mount St. Elias.

The definition of the latter part of the line is, I think, sufficiently clear in the Treaty. I can recall only one debatable point, viz., a reference to the sinuosities of the coast in marking the line. In the case of inlets, for which the coast is noted, and mouths of rivers, at what point would the coast-line be taken to be? Although this is, I think, speaking from recollection, the only indefinite description in the Treaty, there would be extreme difficulty in tracing any such line inland were it necessary to do so.

The line is defined to run along mountain range, and, in the event of this failing, in a direction parallel to the sinuosities of the coast-line, but in no case further inland than ten marine leagues.

If it be determined to open the question with the United States, it would be highly desirable, before starting parties to mark the line, to submit questions to the United States upon all possible debatable points in the application of the Treaty, and to arrive at a common understanding about the interpretation by which the Boundary Commissioners should be guided. The instructions to the Commissioners on these heads should be alike from the two countries.

I have kept a copy of the papers I am now sending to you, in case you may desire to refer to me again about them.

Yours, &c.
(Signed) D. R. CAMERON.

No. 18.

The Earl of Rosebery to Sir L. West.

(No. 38.)

Sir,

Foreign Office, February 11, 1886.

AMONG the members of the Corps Diplomatique I received yesterday the Minister of the United States of America, who spoke to me on two matters:—

1. The rupture between Colombia and Italy respecting the case of Signor Cerruti, as to which he hoped that, when we had a substantial proposition to make on the subject, Her Majesty's Government would be prepared to join his Government in having recourse to arbitration.

2. He hoped that Her Majesty's Government would be willing to appoint a Joint Commission with the United States for the purpose of effecting a settlement of the Alaska boundary, which was known to be geographically unsound, and this he illustrated by various particulars.

I said that, in regard to this latter question, it would be necessary to consult the Colonial Office and the Government of Canada.

I am, &c.
(Signed) ROSEBERY.

No. 19.

Sir J. Pauncefote to Sir R. Herbert.

Sir,

Foreign Office, February 15, 1886.

WITH reference to my letter of the 5th instant, I am directed by the Earl of Rosebery to state to you, for the information of Earl Granville, that in the course of conversation on the 10th instant with the United States' Minister at this Court, he expressed a hope that Her Majesty's Government would be willing to appoint a Joint Commission with the United States for the purpose of effecting a settlement of the Alaska boundary, which was known to be geographically unsound, and this he illustrated by various particulars.

Mr. Phelps was informed by Lord Rosebery, in reply, that in regard to this question it would be necessary to consult the Colonial Office and the Government of Canada.

In connection with this subject, I am to call attention to Mr. Phelps' request, in his letter of the 19th ultimo, that he might be furnished with copies of the British and Canadian maps mentioned in Mr. Bayard's despatch, which was communicated to you on the 23rd ultimo; and I am to request that the maps in question may, if possible, be forwarded to this Department for communication to the United States' Government.

I am to add that it would be convenient that copies of these maps should also be supplied for the use of the Foreign Office.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

The Earl of Rosebery to Sir L. West.

(No. 49.)

Sir,

Foreign Office, February 23, 1886.

I HAVE to state to you that, in the course of an interview with me to-day, Mr. Phelps reverted to the question of the Alaska boundary, and read to me the clause from the Treaty between the United States and Russia of the 30th March, 1867, for the sale of Alaska, which had been extracted *verbatim* from the former Treaty between Great Britain and Russia of the 16th (28th) February, 1825.

He pointed out, by copious reference to maps, that when this boundary was made the country had been inefficiently and insufficiently explored, and renewed his suggestion that a Boundary Commission should be appointed, either to fix a boundary or to survey the country, or to recommend a boundary.

I replied that he had alluded to this subject on a previous occasion, and that then I had requested the Colonial Office to consult the Canadian Government for their opinion on the matter.

Mr. Phelps pointed out that time was of the essence of the matter, as the Commission could only do its work in summer, but that if Her Majesty's Government could conclude arrangements for it before the 1st April, there would be time to obtain the necessary appropriation from Congress for it

I am, &c.

(Signed) ROSEBERY.

No. 21.

*Sir J. Pauncefoot to Sir R. Herbert.**Foreign Office, February 25, 1886.*

[Transmits copy of No. 49 to Sir L. West, dated February 23, 1886: *ante*, No. 20.]

No. 22.

Mr. Bramston to Sir P. Currie.—(Received March 12.)

(Confidential.)

Sir,

Downing Street, March 11, 1886.

WITH reference to your letter of the 25th ultimo, and to previous correspondence, I am directed by Earl Granville to transmit to you, for the information of the Earl of Rosebery, a copy of a telegraphic correspondence with the Governor-General of Canada relative to the determination of the Alaska boundary. I am also to inclose a copy of a correspondence with the War Office relative to the employment of Colonel Cameron, R.A., in connection with this question.

I am, &c.

(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 22.

Earl Granville to the Marquis of Lansdowne.

(Telegraphic.)

Downing Street, March 6, 1886.

ALASKA boundary,

United States' Minister renews suggestion Commission. It is desirable conclude arrangements early, that appropriation may be obtained from Congress. Does your Government agree?

Inclosure 2 in No. 22.

The Marquis of Lansdowne to Earl Granville.

(Telegraphic.)

[Received March 9, 1886, 10.20 P.M.]

MY Government agree in principle to preliminary survey Alaska boundary by Commission. Will send despatch as to instructions and scope of inquiry. Have informed West.

Inclosure 3 in No. 22.

Sir R. Herbert to Sir R. Thompson.

Sir,

Downing Street, March 6, 1886.

I AM directed by Earl Graville to request that you will inform Mr. Secretary Campbell-Bannerman that it is in contemplation that a joint British and United States' Commission should be appointed for the settlement of the boundary between Alaska and Canada; and his Lordship would be glad if the Secretary of State for War would grant permission that Lieutenant-Colonel and Colonel Cameron, R.A., who has a special knowledge of this question, should give his services in connection with this matter, in examining the papers and records in this Department, and in arranging the preliminaries for the proposed Commission.

I am, &c.

(Signed) ROBERT G. W. HERBERT.

Inclosure 4 in No. 22.

Colonel Deedes to Sir R. Herbert.

Sir,

War Office, March 9, 1886.

IN reply to your letter of the 6th instant, I am directed by the Secretary of State for War to acquaint you, for the information of Earl Granville, that Colonel Cameron has been directed to place himself in communication with your Office.

I have, &c.

(Signed) H. G. DEEDES.

No. 23.

Major-General Laurie to Sir J. Pouncefote.—(Received March 17.)

Sir,

47, Porchester Terrace, London, March 15, 1886.

UNDERSTANDING that it is proposed to appoint an International Commission to define the boundaries between the Territory of Alaska, United States of America, and the Dominion of Canada, I have the honour to apply for the appointment of British Commissioner.

Having served in command of the militia in the Province of British Columbia, I am well acquainted with that section of country, and with the prominent public men both in that province and in the neighbouring United States, and having served in Canada more than twenty years, I have mixed much with the people of North America on both sides of the line.

Should, however, the above-named appointment be filled, I desire to place before the Right Honourable the Secretary of State my earnest desire for employment, and my willingness to accept a subordinate position until I shall have proved my fitness for more responsible work.

I was employed last year as second in command, and in charge of the base and lines of communication, during the rebellion in the Canadian North-west, and have only lately returned from Servia, where I was engaged during the Servo-Bulgarian war in hospital and ambulance work, and have now a fair acquaintance with the Servians and their country.

I am colloquially acquainted with the French and German languages, and have served

with Her Majesty's troops in every portion of the globe, and now seek work for its own sake, and as a matter of duty.

Trusting that I may be permitted an opportunity of doing useful service, I have, &c.
(Signed) J. WIMBURNE LAURIE.

No. 24.

Sir R. Herbert to Sir P. Currie.—(Received March 18.)

Sir,

Downing Street, March 18, 1886.

WITH reference to the letter from this Department of the 11th instant, and to previous correspondence relative to the Alaska Boundary question, I am directed by Earl Granville to acquaint you that, after communicating with the High Commissioner for Canada, his Lordship is of opinion that no more suitable person, or more acceptable to the Dominion Government, could be found for the position of British Commissioner for the demarcation of the boundary than Colonel Cameron. The formal appointment of the British Commissioner will rest with the Earl of Rosebery, and if his Lordship concurs in thinking that Colonel Cameron should be selected, Lord Granville would propose to telegraph to the Governor-General of Canada the suggestion that Colonel Cameron should be so appointed.

Lord Rosebery will be aware that Colonel Cameron was, on a former occasion, engaged on a similar boundary question on the recommendation of the Dominion Government, and that both Lord Dufferin and Lord Lorne, as well as the present Governor-General, have reported favourably on his work in Canada.

I am, &c.
(Signed) ROBERT G. W. HERBERT.

No. 25.

Mr. J. C. Knight-Bruce to the Earl of Rosebery.—(Received March 19.)

My Lord,

Naval and Military Club, Piccadilly, March 18, 1886.

PLEASE forgive my troubling you, but I am told the Government are thinking of sending out a Commission for the purpose of fixing the boundary between Alaska and British North America. I had made arrangements, before I heard of this Commission going out, to leave England myself, with my instruments, about the beginning of next month for North British Columbia, going then up the Skeena River from Metlakatli, for the purpose of fixing points and surveying the country lying between the Skeena and Fraser Rivers; but now that I hear a Commission is being sent out to those parts, I should like immensely to form one of its members, and am ready to start at a minute's notice. Do you think, my Lord, that it is possible for me to be appointed? I am a Fellow of the Royal Geographical Society, and inclose a certificate from Mr. Coles, of that Society, with whom I have been working. I may also mention that I am a photographer, and always travel with a photographic apparatus. I have many photographs taken during my last Ceylon trip.

Again apologizing for troubling you, I have, &c.

(Signed) J. C. KNIGHT-BRUCE.

Inclosure in No. 25.

Certificate.

THIS is to certify that Mr. J. C. L. Knight-Bruce has received instruction from me in practical astronomy and surveying, and that he is able to use the plane table and sextant, and to fix positions astronomically by meridian altitudes and altitudes off the meridian.

(Signed) JOHN COLES, F.R.A.S., *Instructor in Practical Astronomy and Surveying, R.G.S.*

1, Savile Row, Burlington Gardens,
March 18, 1886.

No. 26.

Sir J. Pauncefote to the Deputy Keeper, Record Office.

Sir,

Foreign Office, March 20, 1886.

I AM directed by the Earl of Rosebery to inform you that Colonel Cameron, R.A., has been appointed to assist the Colonial Office in collecting materials bearing upon the question of the north-west boundary of America, for which purpose it is necessary that he should consult certain papers in the Public Record Office; and I am therefore to request that you will have the goodness to permit Colonel Cameron, who will be accompanied by a clerk or copyist, to peruse the correspondence of Russia for the years 1821 to 1825, volumes 129 to 147, inclusive, and to take such extracts therefrom as he may desire.

I am further to request that you will permit Colonel Cameron to examine the original ratification of the Convention between this country and Russia of the 28th February, 1825, No. 245.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 27.

Sir J. Pauncefote to Sir R. Herbert.

Sir,

Foreign Office, March 22, 1886.

WITH reference to your letter of the 18th instant, I am directed by the Earl of Rosebery to transmit to you a copy of a letter from Major-General Laurie applying for the appointment of British Commissioner, or some subordinate employment on the Alaska Boundary Commission.*

I am to request that in laying this letter before Earl Granville, you will move him to cause Lord Rosebery to be informed what reply should be returned to Major-General Laurie.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 28.

Mr. Bramston to Sir P. Currie.—(Received March 23.)

Sir,

Downing Street, March 22, 1886.

WITH reference to my letter of the 18th instant relating to the proposed appointment of a Joint British and United States' Commission for inquiring into the subject of the Alaska boundary, I am directed by Earl Granville to transmit to you, to be laid before the Earl of Rosebery, a copy of a letter from Colonel Cameron asking that he may be allowed access to certain Foreign Office papers and records.

Lord Granville would be obliged if Lord Rosebery would give directions for a compliance with Colonel Cameron's application.

I am, &c.

(Signed) JOHN BRAMSTON.

Inclosure in No. 28.

Colonel Cameron, R.A., to Sir R. Herbert.

Sir,

97, Cromwell Road, London, March 15, 1886.

I HAVE the honour to request that authority may be obtained for me to procure extracts and copies of such documents in the Foreign Office as bear upon the determination of the Alaska boundary. I refer more particularly to the correspondence preceding and during the negotiation of the Treaty of 1825 with Russia.

I should also be glad to be informed if there be any record of what maps were used during those negotiations. It is probable that the maps used by the Representative of Great Britain were supplied to him through the Foreign Office, and that at least some of them were furnished by the Admiralty Office.

The point is of considerable importance, as the United States authorities appear to intend that the island to the north of the entrance to Observatory Inlet, the southern part of which island was named by Vancouver "Point Wales," is the Prince of Wales' and referred to in the Treaty of 1825 with Russia.

There is clear authority, however, for stating that Point Wales was called after a gentleman of the name of Wales, an instructor of Vancouver when at school. At the same time there is no island on Vancouver's Chart called Prince of Wales' Island.

I am, &c.

(Signed) D. R. CAMERON.

No. 29.

Sir J. Pauncefote to Sir R. Herbert.

(Confidential.)

Foreign Office, March 24, 1886.

WITH reference to the letter from this Office of the 23rd January last, and to subsequent correspondence, I am directed by the Earl of Rosebery to transmit to you, to be laid before Earl Granville, two copies of a Memorandum drawn up by Mr. Hertslet, the late Secretary to this Department, in July 1835, explaining the circumstances which led to the conclusion of the Convention between Great Britain and Russia of the 16th (28th) January, 1825, relative to trade in the Pacific, and the limits of their possessions on the north-west coast of America.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 29.

Memorandum of the Circumstances which led to the Conclusion of the Convention between Great Britain and Russia of 1825, relative to Trade in the Pacific, and the Limits of their Possessions on the North-west Coast of America.

IN September 1821 the Emperor of Russia issued an Edict, containing regulations relative to trade on the eastern coast of Siberia, the north-west coast of America, and the Aleutian, Kurile, and other islands of the Pacific.

State Papers, vol. ix,
1821-22, p. 472.

These regulations granted to Russian subjects an exclusive right of commerce, whaling, and fishery in all the islands, ports, and gulfs from Behring's Straits to the 51st degree of north latitude, and from the Aleutian Islands to the eastern coast of Siberia, as well as along the Kurile Islands, from Behring's Straits to the south cape of the Island of Urup, to the 45° 50' of north latitude.

All foreign vessels were prohibited, under the penalty of confiscation, from approaching the territory within 100 Italian miles, unless driven by stress of weather, &c., and even then they were forbidden to carry on any trade whatever, either with the natives or with the Russian American Company.

On the publication of the Ukase, the Russian Minister for Foreign Affairs stated to Sir Charles Bagot that the object of it was to prevent the "commerce interlope" of the citizens of the United States, who were not only in the habit of resorting to the Russian islands and coasts of the Pacific, for the purpose of interfering in the Russian trade with Alaska, in the lucrative sale of sea-otter skins, but were also in the constant habit of introducing prohibited articles, and especially gunpowder, into the Russian dominions in that quarter. The Russian Minister also said that representations had been repeatedly made upon this subject to the American Government, who had professed to be unable to control their citizens in those distant seas; but had intimated that they should not take in part any measures which the Russian Government might deem it expedient to adopt for the protection of its own rights.

Sir Charles Bagot,
No. 56; November
29, 1821.

Baron Nicolay communicated the Ukase officially to Lord Londonderry, and the same was then submitted to the King's Advocate.

Baron Nicolay,
November 12, 1821.

Christopher Robinson reported that the object of Russia appeared to be to obtain, ultimately, the acknowledgment of territorial rights, assumed over a portion of sea that had become of great importance with reference to trade, and in consequence of the disputes which were making in that quarter; that a right of sovereignty over a sea of such extent, merely because its opposite limits touched the possessions of the same Power,

King's Advocate;
November 20, 1821.

was much greater than was ordinarily recognized by the principles of the law of nations ; and that it might be expedient to declare the intentions of His Majesty's Government to adhere to those established principles, and to deprecate any infringement of the usual rights of commerce.

To Count Lieven :
January 18, 1822.

Lord Londonderry accordingly acquainted Count Lieven that he was directed to make such a provisional protest against the enactments of the Ukase as was necessary in order to save the rights of His Majesty's Crown, and of the persons and property of His Majesty's subjects ; that the British Government were willing to enter into amicable explanations on the question ; but that, in the meantime, it could not admit that the intercourse which had previously existed in those seas could be deemed to be illicit, even supposing that the vast and imperfectly occupied territories, which were considered as erroneously claimed by Russia, really belonged to His Imperial Majesty.

Count Lieven.
January 31, 1823.

Verbal communications afterwards passed between Count Lieven and the Duke of Wellington, in London and at Verona, in consequence of which it was proposed by the former that a negotiation upon the subject should be entered into at St. Petersburg.

To Sir Charles Bagot,
No. 1 ; February 5,
1823.

Sir Charles Bagot was immediately instructed to open the discussion, and full powers to conclude a Treaty were forwarded to him.

To Sir Charles Bagot,
No. 4 ; February 25,
1823.

To Sir Charles Bagot,
No. 12 ; July 12,
1823.

During the discussions an overture was made by the United States to join in the negotiation, which was accepted by the two Powers ; and as it was understood that Russia had waived her extravagant pretension of maritime jurisdiction, there was every prospect of the conclusion of a Tripartite Convention upon that point.

With respect to the territorial question, it was intimated to Sir Charles Bagot that the British Government would prefer a fixed line of demarcation to a joint occupancy, and that a line drawn at the 57th degree between the Russian and British settlers would be an arrangement satisfactory to His Majesty, and would assign to Russia as much as she could justly claim.

Sir Charles Bagot,
No. 36 ; August 21,
1823.

Sir Charles Bagot, in conversation with Count Nesselrode, observed that, as the United States could make no pretension to territory so far north as the 51st degree, the question of boundary would rest between Russia and Great Britain alone ; that the pretension of Great Britain had always extended to the 59th degree of north latitude, but that His Majesty was disposed to consent to take as the line of demarcation the 57th degree, to the southward of which it was supposed that Russia had no settlement.

Sir Charles Bagot,
No. 42 ; October 29,
1823.

The American Minister (Mr. Middleton) at St. Petersburg, however, soon afterwards received his instructions, from which it appeared that the United States asserted an equal pretension, at least, to that of either Great Britain or Russia, to the whole of the coast as high as the 61st degree, and an absolute right to be parties to any subdivision of it which might be made. This pretension and right were stated to be grounded upon the Treaty of 1819, under which the Floridas were ceded to the United States by Spain ; and it was alleged that the United States having by that Treaty become possessed of all claims which belonged to Spain, to the north of the 42nd degree, and Russia having already disclaimed, in 1790, all interference with the pretensions of Spain south of the 61st degree, any division of the coast between the 42nd and 61st degrees ought, in strictness, to be made solely between the United States and Great Britain.

The American Minister admitted that it was not the intention of his Government to push its pretensions to that extent. The United States were ready to acknowledge that no country had any absolute and exclusive claim to the territory ; but they meant to assert that they, as heirs to the rights of Spain, had, in fact, the best pretensions to it of either of the three Powers concerned.

The American Government proposed that, a division being made between the three Powers, a joint Convention should be entered into, renewable at the pleasure of the parties, for the purpose of mutually granting to each other, for a limited period, the freedom of fishery and of trade with the natives, and whatever other advantages the coast might afford ; and the American Minister at St. Petersburg was furnished with full powers to conclude such a Convention.

But Sir Charles Bagot, whose instructions and powers did not contemplate the putting forward of such pretensions by the United States, thought proper to suspend the negotiation, so far as regarded the question of territory.

He had previously intimated to Count Nesselrode that Great Britain might be satisfied to take Cross Sound, in about latitude $57\frac{1}{2}^{\circ}$, as the boundary on the coast, and a meridional line drawn from the head of Lynn Canal, or about the 135th degree of west longitude, as the boundary in the interior. M. Poletica, the Russian Plenipotentiary, suggested the 55th degree as the boundary which Russia would desire to obtain, and stated

it would be with extreme reluctance that Russia would consent to relinquish her ement at Sitka, or New Archangel.

In consequence of the unexpected pretensions of the United States, Sir Charles Bagot directed to negotiate only with Russia, between which Power and Great Britain a satisfactory arrangement might be anticipated.

To Sir Charles Bagot,
No. 2; January
1824.

It was observed by Mr. Canning that the intervention of the United States in the negotiation would obviously tend to complicate the question between Russia and Great Britain, and that a fresh agreement between Great Britain and the United States was necessary, because a freedom of intercourse for the subjects of the two Powers with the country claimed by either, on the north-west coast, was already established by Treaty.

With a view to the conclusion of an arrangement with Russia, Sir Charles Bagot was directed to obtain some record of the disavowal by that Power of the extravagant maritime pretensions advanced in the Emperor's Ukase, and to require an equitable adjustment of the limits, first, by a line of demarcation, to be drawn between the southernmost settlement of Russia and the northernmost post of the North-west Company; and, secondly, by another line, to be drawn through the channel which separates from the mainland the islands, upon one of which Sitka is situated.

The Russian Plenipotentiaries, on entering upon the negotiations, expressed the ignorance of His Imperial Majesty to renounce pretensions which had been advanced in 1803 by the Emperor Paul, and which had hitherto been undisputed; but Sir Charles Bagot successfully insisted upon maintaining as the basis of negotiation that which had already been agreed upon, namely, that the question of strict right should be provisionally waived on both sides. He was not, however, successful as to the limits; for, although he had expressed every disposition to be accommodating as to the sea-line, the Russian Government laid claim to parts of the mainland over which Russia could not possibly have claimed any right, and which Great Britain, in fact, was partially occupying. Sir Charles Bagot had offered the 55th degree as the line of demarcation upon the islands, in order to secure to British subjects uninterrupted access to the Pacific Ocean, and in order to secure to Great Britain the 56th degree of north latitude as the British boundary upon the coast; but the proposition was rejected by the Russian Plenipotentiaries, and Sir Charles, in consequence, deemed it advisable to suspend the negotiation.

Sir Charles Bagot,
No. 23; March 29,
1824.

The question between Russia and the United States was shortly afterwards brought to a conclusion by the signature of a Treaty stipulating that the subjects and citizens of the two Powers might resort, without restraint, to the Pacific Ocean and to the points on its coasts which were not already occupied; that the Americans should not form any establishment to the north of 54° 40', or the Russians any to the south of that latitude; that the citizens and subjects of both Powers might frequent, for ten years, the interior, gulfs, harbours, and creeks upon the coast.

Sir Charles Bagot,
No. 25; April 17,
1824.
State Papers, vol.
1824-25, p. 595.

The objections of the Russian Government to Sir Charles Bagot's propositions having been considered, he was directed to consent to include the south points of Prince of Wales' Island within the Russian frontier, and to admit, as the line of demarcation, a line to be drawn from the southernmost point of Prince of Wales' Island, from south to north, through Bering Strait, till it should strike the mainland in latitude 56°; thence a line following the sinuosities of the coast along the mountains nearest to the sea as far as Mount St. Elias in latitude 60°, and thence the 135th degree of longitude as far as the Polar Sea; the distance of the line along the mountains at no point to exceed 10 leagues from the sea.

To Sir Charles Bagot,
No. 26; July 12,
1824.

To Sir Charles Bagot,
No. 29; July 24,
1824.

Sir Charles Bagot was also directed to obtain, if possible, a period longer than ten years during which the subjects of the two Powers should continue at liberty to resort to the possessions of each Power, and he was also directed to require a stipulation for the permanent admission of British subjects to the harbour of New Archangel, and to the rivers, gulfs, &c., on the continent (including the sea beyond Behring's Straits), as a compensation for the perpetual right which would be granted to Russia to the territory included within the new boundary.

The Russian Government positively refused to grant to British subjects a perpetual right of trading with the port of New Archangel, and with the ports in the Russian territory within the line of demarcation; declaring that, although at the expiration of a period of ten years they might be disposed to renew the privilege, they could not consent to grant it in perpetuity; and they equally declined to permit British subjects to resort to the Russian territory above the 60th degree, even for a limited period. They also required that the right of freely navigating the sea beyond Behring's Straits should be accepted by Great Britain as a concession from Russia.

Sir Charles Bagot,
No. 41; August
24, 1824.

Sir Charles Bagot, finding that he could not induce the Russian Plenipotentiaries to depart from their resolution upon either of these points, again suspended the negotiation, and soon afterwards returned to England.

To Mr. Ward, No. 3;
September 18, 1824.

In the meantime, Mr. Ward was directed to propose to the Russian Government that instructions should be sent to Count Lieven for the purpose of negotiating the Treaty in London.

It was, however, decided that Sir Stratford Canning should repair on a special mission to Russia, in order to finish the negotiations at St. Petersburg.

To Sir Stratford
Canning, No. 1;
December 8, 1824.

He was accordingly instructed to propose to the Russian Government a project of a Treaty, which, in order to obviate the Russian objections as to Russian maritime jurisdiction, and as to British navigation, contained two Articles corresponding with those which had been recently concluded upon those points between Russia and the United States, with a proviso as to the period of ten years, that, if a more extended term, with respect to the port of New Archangel, should be granted to the subjects of any other Power, the same extension should be granted also to British subjects; the line of demarcation in this project was very nearly the same as that proposed by Sir Charles Bagot.

Sir Stratford Canning,
No. 15; March 1,
1825.
State Papers, vol. xii,
1824-25, p. 38.

The Russian Government having acquiesced in the project, without any material alteration, a Treaty was concluded between the Plenipotentiaries, the principal stipulations of which were, that the subjects of the two Powers might resort, without restraint, to the Pacific Ocean and to such parts of the coasts thereof as had not been already occupied; that the line of demarcation between the possessions of the two Powers should be drawn, beginning from the southernmost point of Prince of Wales' Island, in 54° 40' north latitude, and between the 131st and 133rd degrees of west longitude; thence, northerly, along Portland Channel to the point where it strikes the coast in the 56th degree; thence by the summit of the mountains along the coast, and within the distance of 10 leagues from that coast to the point where such line intersects the 141st degree of west longitude, and from thence due north to the Frozen Ocean; that Prince of Wales' Island should belong wholly to Russia; that neither party should form any establishment within the limits assigned to the other; that British subjects should have free access for ever to the rivers and streams which cross the line of demarcation upon the coast, and for ten years, at least, to the port of New Archangel; and that the subjects of both Powers may frequent all the internal seas, gulfs, havens, and creeks upon the coast.

The Treaty is silent with respect to Behring's Straits; but Sir Stratford Canning was assured by the Russian Plenipotentiaries that the Emperor had no intention whatever of maintaining any exclusive claim to the navigation either of those straits or of the seas to the north of them.

A copy of each of the Treaties above mentioned, between Russia and the United States and Great Britain, is annexed to this Memorandum.

(Signed) L. HERTSLET.

Foreign Office, July 1835.

APPENDIX.

(A.)

Convention between the United States and Russia, relative to the Pacific Ocean and the North-western Coast of America. Signed at St. Petersburg, April 5 (17), 1824.

(Translation.)

WHEREAS a Convention between the United States of America and His Majesty the Emperor of All the Russias was concluded and signed at St. Petersburg, on the 5th (17th) day of April, in the year of our Lord 1824; which Convention, being in the French language, is, word for word, as follows, a translation of the same being hereto annexed:—

“In the Name of the Most Holy and Indivisible Trinity.

“The President of the United States of America, and His Majesty the Emperor of All the Russias, wishing to cement the bonds of amity which unite them, and to secure between them the invariable maintenance of a perfect concord, by means of the present Convention, have named as their Plenipotentiaries to this effect, to wit: The President of the United States of America, Henry Middleton, a citizen of said States, and their Envoy Extraordinary and Minister Plenipotentiary near His Imperial Majesty; and His Majesty the Emperor of All the Russias, his beloved and faithful Charles Robert Count of Nesselrode, Actual Privy Counsellor, Member of the Council of State, Secretary of State directing the Administration of Foreign Affairs, Actual Chamberlain, Knight of the Order

of St. Alexander Newsky, Grand Cross of the Order of St. Wladimir of the first class, Knight of that of the White Eagle of Poland, Grand Cross of the Order of St. Stephen of Hungary, Knight of the Orders of the Holy Ghost and of St. Michael, and Grand Cross of the Legion of Honour of France, Knight Grand Cross of the Orders of the Black and of the Red Eagle of Prussia, of the Annunciation of Sardinia, of Charles III of Spain, of St. Ferdinand and of Merit of Naples, of the Elephant of Denmark, of the Polar Star of Sweden, of the Crown of Württemberg, of the Guelphs of Hanover, of the Belgic Lion, of Fidelity of Baden, and of St. Constantine of Parma; and Pierre de Poletica, Actual Counsellor of State, Knight of the Order of St. Anne of the first class, and Grand Cross of the Order of St. Wladimir of the second; who, after having exchanged their full powers, found in good and due form, have agreed upon and signed the following stipulations :—

“ARTICLE I.

“It is agreed, that in any part of the Great Ocean, commonly called the Pacific Ocean or South Sea, the respective citizens or subjects of the High Contracting Powers shall be neither disturbed nor restrained, either in navigation or in fishing, or in the power of resorting to the coasts, upon points which may not already have been occupied, for the purpose of trading with the natives; saving always the restrictions and conditions determined by the following Articles :—

“ARTICLE II.

“With the view of preventing the rights of navigation and of fishing, exercised upon the Great Ocean by the citizens and subjects of the High Contracting Powers, from becoming the pretext for an illicit trade, it is agreed that the citizens of the United States shall not resort to any point where there is a Russian establishment, without the permission of the Governor or Commander; and that, reciprocally, the subjects of Russia shall not resort, without permission, to any establishment of the United States upon the north-west coast.

“ARTICLE III.

“It is moreover agreed that, hereafter, there shall not be formed, by the citizens of the United States, or under the authority of the said States, any establishment upon the north-west coast of America, nor in any of the islands adjacent, to the north of $54^{\circ} 40'$ of north latitude; and that, in the same manner, there shall be none formed by Russian subjects, or under the authority of Russia, south of the same parallel.

“ARTICLE IV.

“It is, nevertheless, understood that, during a term of ten years, counting from the signature of the present Convention, the ships of both Powers, or which belong to their citizens or subjects respectively, may reciprocally frequent, without any hindrance whatever, the interior seas, gulfs, harbours, and creeks, upon the coast mentioned in the preceding Article, for the purpose of fishing and trading with the natives of the country.

“ARTICLE V.

“All spirituous liquors, fire-arms, other arms, powder, and munitions of war of every kind, are always excepted from this same commerce permitted by the preceding Article; and the two Powers engage reciprocally neither to sell, or suffer them to be sold, to the natives by their respective citizens and subjects, nor by any person who may be under their authority. It is likewise stipulated that this restriction shall never afford a pretext, nor be advanced, in any case, to authorize either search or detention of the vessels, seizure of the merchandize, or, in fine, any measures of constraint whatever towards the merchants or the crews who may carry on this commerce; the High Contracting Powers reciprocally reserving to themselves to determine upon the penalties to be incurred, and to inflict the punishments in case of the contravention of this Article by their respective citizens or subjects.

“ARTICLE VI.

“When this Convention shall have been duly ratified by the President of the United States, with the advice and consent of the Senate, on the one part, and on the other by His Majesty the Emperor of All the Russias, the ratifications shall be exchanged at Washington in the space of ten months from the date below, or sooner, if possible. In faith whereof

the respective Plenipotentiaries have signed this Convention, and thereto affixed the seals of their arms.

“ Done at St. Petersburg, the 5th (17th) April of the year of Grace, 1824.

(L.S.)

“ HENRY MIDDLETON.

(L.S.)

“ LE COMTE CHARLES DE NESSELRODE.

(L.S.)

“ PIERRE DE POLETICA.”

And whereas the said Convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington, on the 11th day of the present month, by John Quincy Adams, Secretary of State of the United States, and the Baron de Tuyl, Envoy Extraordinary and Minister Plenipotentiary of His Imperial Majesty, on the part of their respective Governments :

Now, therefore, be it known that I, James Monroe, President of the United States, have caused the said Convention to be made public, to the end that the same, and every Clause and Article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand, and caused the Seal of the United States to be affixed.

Done at the city of Washington, this 12th day of January, in the year of our Lord 1825, and of the Independence of the United States the 49th.

(Signed)

JAMES MONROE.

By the President :

(Signed)

JOHN QUINCY ADAMS, *Secretary of State.*

(B.)

Convention between His Majesty and the Emperor of Russia. Signed at St. Petersburg, February 16 (28), 1825.

(Translation.)

In the Name of the Most Holy and Undivided Trinity.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of All the Russias, being desirous of drawing still closer the ties of good understanding and friendship which unite them, by means of an agreement which may settle, upon the basis of reciprocal convenience, different points connected with the commerce, navigation, and fisheries of their subjects on the Pacific Ocean, as well as the limits of their respective possessions on the north-west coast of America, have named Plenipotentiaries to conclude a Convention for this purpose, that is to say :—His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Stratford Canning, a member of His said Majesty's Most Honourable Privy Council, &c. ; and His Majesty the Emperor of All the Russias, the Sieur Charles Robert, Count de Nesselrode, His Imperial Majesty's Privy Councillor, a member of the Council of the Empire, Secretary of State for the Department of Foreign Affairs, &c., and the Sieur Pierre de Poletica, His Imperial Majesty's Councillor of State, &c. ; who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and signed the following Articles :—

ARTICLE I.

It is agreed that the respective subjects of the High Contracting Parties shall not be troubled or molested, in any part of the ocean commonly called the Pacific Ocean, either in navigating the same, in fishing therein, or in landing at such parts of the coast as shall not have been already occupied, in order to trade with the natives, under the restrictions and conditions specified in the following Articles.

ARTICLE II.

In order to prevent the right of navigating and fishing, exercised upon the ocean by the subjects of the High Contracting Parties, from becoming the pretext for an illicit commerce, it is agreed that the subjects of Her Britannic Majesty shall not land at any place where there may be a Russian establishment, without the permission of the Governor or Commandant ; and, on the other hand, that Russian subjects shall not land, without permission, at any British establishment on the north-west coast.

ARTICLE III.

The line of demarcation between the possessions of the High Contracting Parties, upon the coast of the continent, and the islands of America to the north-west, shall be drawn in the manner following :—

Commencing from the southernmost point of the island called Prince of Wales' Island, which point lies in the parallel of $54^{\circ} 40'$ north latitude, and between the 131st and 133rd degrees of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last-mentioned point, the line of demarcation shall follow the summit of the mountains situated parallel to the coast, as far as the point of intersection of the 141st degree of west longitude (of the same meridian); and, finally, from the said point of intersection, the said meridian line of the 141st degree in its prolongation as far as the Frozen Ocean, shall form the limit between the Russian and British possessions on the continent of America to the north-west.

ARTICLE IV.

With reference to the line of demarcation laid down in the preceding Article, it is understood :—

1. That the island called Prince of Wales' Island shall belong wholly to Russia.
2. That wherever the summit of the mountains that extend in a direction parallel to the coast, from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude, shall prove to be at the distance of more than 10 marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia, as above mentioned, shall be formed by a line parallel to the windings of the coast, and which shall never exceed the distance of 10 marine leagues therefrom.

ARTICLE V.

It is, moreover, agreed that no establishment shall be formed by either of the two parties within the limits assigned by the two preceding Articles to the possessions of the other: consequently, British subjects shall not form any establishment either upon the coast, or upon the border of the continent comprised within the limits of the Russian possessions, as designated in the two preceding Articles; and, in like manner, no establishment shall be formed by Russian subjects beyond the said limits.

ARTICLE VI.

It is understood that the subjects of His Britannic Majesty, from whatever quarter they may arrive, whether from the ocean or from the interior of the continent, shall for ever enjoy the right of navigating freely, and without any hindrance whatever, all the rivers and streams which, in their course towards the Pacific Ocean, may cross the line of demarcation upon the line of coast described in Article III of the present Convention.

ARTICLE VII.

It is also understood that, for the space of ten years from the signature of the present Convention, the vessels of the two Powers, or those belonging to their respective subjects, shall mutually be at liberty to frequent, without any hindrance whatever, all the inland seas, the gulfs, havens, and creeks on the coast mentioned in Article III for the purposes of fishing and of trading with the natives.

ARTICLE VIII.

The port of Sitka, or Nova Archangelsk, shall be open to the commerce and vessels of British subjects for the space of ten years from the date of the exchange or the ratifications of the present Convention. In the event of an extension of this term of ten years being granted to any other Power, the like extension shall be granted also to Great Britain.

ARTICLE IX.

The above-mentioned liberty of commerce shall not apply to the trade in spirituous liquors, in fire-arms, or other arms, gunpowder, or other warlike stores; the High Contracting Parties reciprocally engaging not to permit the above-mentioned articles to be sold or delivered, in any manner whatever, to the natives of the country.

ARTICLE X.

Every British or Russian vessel navigating the Pacific Ocean which may be compelled by storms or by accident to take shelter in the ports of the respective parties shall be at liberty to refit therein, to provide itself with all necessary stores, and to put to sea again, without paying any other than port and lighthouse dues, which shall be the same as those paid by national vessels. In case, however, the master of such vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall conform himself to the Regulations and Tariffs of the place where he may have landed.

ARTICLE XI.

In every case of complaint on account of an infraction of the Articles of the present Convention, the civil and military authorities of the High Contracting Parties, without previously acting or taking any forcible measure, shall make an exact and circumstantial report of the matter to their respective Courts, who engage to settle the same in a friendly manner and according to the principles of justice.

ARTICLE XII.

The present Convention shall be ratified, and the ratifications shall be exchanged at London, within the space of six weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at St. Petersburg, the 16th (28th) day of February, in the year of our Lord, 1825.

STRATFORD CANNING.
(L.S.)

THE COUNT DE NESSELRODE.
(L.S.)
PIERRE DE POLETICA.
(L.S.)

No. 30.

Sir J. Pauncefote to Sir R. Herbert.

Sir,

Foreign Office, March 24, 1886

WITH reference to your letter of the 22nd instant, I am directed by the Earl of Rosebery to transmit to you the accompanying copy of a letter, and its inclosure, from Mr. J. C. Knight-Bruce, offering his services on the proposed Commission for fixing the boundary between Alaska and British North America.*

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 30*.

The Earl of Rosebery to Sir L. West.

(No. 80.)

Foreign Office, April 3, 1886.

[Transmits copy of Mr. Phelps' letter of March 25, 1886.]

No. 31.

Sir J. Pauncefote to Sir R. Herbert.

Sir,

Foreign Office, March 26, 1886.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 18th instant, in which it is suggested that Colonel Cameron, R.A., should be appointed British Commissioner for the delimitation of the Alaska frontier.

In reply, I am to state to you that, before expressing any opinion as to this appointment, Lord Rosebery would be glad to be furnished with the views of the Canadian Government, which it is understood may shortly be expected in this country, in regard to the proposal of the United States for the demarcation of the limits of that territory.

Lord Rosebery presumes that the question of the incidence of the expenses to be incurred, and the probable cost of the proposed survey, will engage the attention of the Colonial Office, and that in due time a communication will be addressed by the Colonial

* No. 25.

Office to the Board of Treasury on the subject, as was done in the case of the Manitoba boundary, and reported in Sir Henry Holland's letter of the 14th December, 1870.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 32.

*Sir J. Pauncefote to Mr. J. C. Knight-Bruce.**

Sir,

Foreign Office, March 26, 1886.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 18th instant, offering your services in connection with the Alaska Boundary Commission, and I am to inform you, in reply, that your application will be borne in mind.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 33.

Mr. Phelps to the Earl of Rosebery.—(Received March 29.)

My Lord,

Legation of the United States, London, March 29, 1886.

WITH reference to my note of the 19th January last, respecting the boundary between the British possessions in North America and the Territory of Alaska, I have the honour to inclose herewith, for your Lordship's information, the copy of a despatch which I have just received from the Secretary of State, with that of the accompanying document referred to therein, in regard to this subject.

I have, &c.

(Signed) E. J. PHELPS.

Inclosure 1 in No. 33.

Mr. Bayard to Mr. Phelps.

Sir,

Department of State, Washington, March 16, 1886.

WITH reference to my instruction of the 20th November last, concerning the proposal for an International Commission for fixing a Conventional boundary between Alaska and British Columbia, preserving the intent of the Anglo-Russian Convention of 1825, I now transmit to you herewith a copy of a note to this Department from Mr. Helyar, Chargé d'Affaires *ad interim* of Great Britain, in which he states that the Canadian Government has agreed to the principle of a preliminary survey of the Alaska boundary by a Commission.

In view of this action of the Canadian Government, it is hoped that you may be able to bring the negotiations for a Convention in relation to the matter to an early and favourable conclusion.

I am, &c.

(Signed) T. F. BAYARD.

Inclosure 2 in No. 33.

Mr. Helyar to Mr. Bayard.

Sir,

British Legation, Washington, March 12, 1886.

WITH reference to previous correspondence on the subject of the Alaska Boundary question, I have the honour to inform you that I am authorized by his Excellency the Marquis of Lansdowne to state that he has communicated to Her Majesty's Government

* Also to Major-General Laurie.

the agreement of the Government of Canada in principle to a preliminary survey of the Alaska boundary by a Commission.

I have, &c.
(Signed) H. A. HELYAR.

No. 34.

Sir P. Currie to Sir R. Herbert.

Sir, *Foreign Office, March 29, 1886.*
WITH reference to your letter of the 11th instant, I am directed by the Earl of Rosebery to transmit to you, to be laid before Earl Granville, the accompanying copy of a note from the United States' Minister at this Court, inclosing a despatch from his Government on the subject of the Alaska boundary.*

From this communication it appears that Her Majesty's Chargé d'Affaires at Washington has informed the United States' Government of the consent of the Government of Canada to the principle of a preliminary survey of the Alaska boundary by a Commission, and that the United States' Government are anxious to bring the matter to an early and favourable conclusion.

I am, &c.
(Signed) P. CURRIE.

No. 35.

Mr. Bramston to Sir P. Currie.—(Received April 1.)

Sir, *Downing Street, March 31, 1886.*
I AM directed by Earl Granville to acknowledge the receipt of your letters of the 26th and 29th instant relative to the Alaska Boundary question.

I am to transmit to you, to be laid before the Earl of Rosebery, copies of a telegram and of a despatch received from the Governor-General of Canada, embodying the views of the Dominion Government on the subject; and I am to suggest that the United States' Government should at once be informed, by telegraph, through Her Majesty's Minister at Washington, that Her Majesty's Government agree in principle to a preliminary investigation, but that this must not necessarily be understood to imply that a Joint Commission is agreed upon. The exact form which the investigation must take will be a matter for further consideration.

With regard to the question raised in your letter of the 26th instant, as to the expenses attending the survey, I am to state Lord Granville does not understand, from the Governor-General's despatch now forwarded, whether or not the entire cost of the preliminary inquiry, so far as Great Britain is concerned, will be borne by Canada; he does not, however, propose to approach the Treasury on the subject until this point has been cleared up by further communication with the Government of the Dominion.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 35.

The Marquis of Lansdowne to Earl Granville.

(Telegraphic.)

REFERRING to my telegram of 9th March and despatch 16th March, after United States' Government have been aware of our readiness to have preliminary investigation, no further steps should be taken on our part until decision of Congress known.

Inclosure 2 in No. 35.

The Marquis of Lansdowne to Earl Granville.

(Confidential.)

My Lord,

Government House, Ottawa, March 16, 1886.

ON the 9th instant I telegraphed to your Lordship that my Government was prepared to agree, "in principle," that there should be a "preliminary survey" of the Alaska boundary by a Commission. I added that I would explain in a despatch the views of my Government as to the instructions to be given to the Commissioners, and the scope of the inquiry which they were to undertake.

2. In consideration of Mr. Phelps' urgent request for an early intimation as to the decision of the Dominion Government, it is desirable that no time should be lost in making your Lordship aware of the conditions under which it is proposed by my Government that the preliminary survey referred to in the above telegram should be undertaken.

3. Mr. Phelps' proposal was to the following effect: "That a Commission be agreed on by the Governments of the United States and Her Majesty, to be composed of Commissioners to be appointed by each, who shall under such instructions and conditions as may be mutually concurred in, and upon such surveys and examinations as may be found necessary and practicable, either designate and establish the boundary line in question, or report to the respective Governments such facts, data, and recommendations as may afford a basis for its establishment by Convention between them."

4. It will be observed that my Government in the telegram quoted above, while expressing its general agreement to a preliminary survey of the disputed frontier, has not expressed its assent to such a Commission as that suggested by Mr. Phelps, which was to be (1) a Joint Commission composed of Representatives of both Powers, and (2) empowered not only to examine the boundary line on the spot, but possibly even to lay it down and establish it. Mr. Phelps' proposal is in these respects in somewhat marked contrast to the language of the President's Message to Congress in December 1885, in which, dealing with the question of the Alaska boundary, he wrote as follows:—

"I recommend, therefore, that provision be made for a preliminary reconnaissance by officers of the United States, to the end of acquiring more precise information on the subject. I have invited Her Majesty's Government to consider with us the adoption of a more convenient line to be established by meridian observations, or by known geographical features, without the necessity of an expensive survey of the whole."

The terms in which my telegram to your Lordship was couched were intended to point rather to such a "preliminary reconnaissance" conducted on the spot, and possibly at the same time, by officers of the United States on the one part and of Canada on the other, with the object of acquiring for their respective Governments that precise information as to the geographical configuration of the country which is now wanting, than to the appointment of a formally constituted Joint Commission with all the powers suggested in Mr. Phelps' letter to Lord Salisbury.

5. The less formal "preliminary reconnaissance" indicated in the President's Message would appear to be in all respects better suited to the requirements of the case as it at present stands; such a reconnaissance would not be inconsistent with the free and friendly interchange of ideas between the two bodies of experts who might be intrusted with the investigation, while it would probably be the means of avoiding much of the contention which would be likely to arise were a Joint Commission to be instructed to agree, or to endeavour to agree on the spot, to the actual delimitation of the frontier line. Lieutenant-Colonel D. R. Cameron, who was employed in connection with the location of the eastern boundary of British Columbia, and who has given some attention to the matter under consideration, has expressed, in a letter to Sir Charles Tupper, dated the 12th November, 1884 (of which I inclose a copy), his opinion that "before the question is opened by the United States' Government it would be well for the Canadian Government to have a previous clear knowledge of the topography of the possible boundary line." This opinion is shared by the Dominion Government, which has at present no such knowledge. The preliminary reconnaissance above suggested would, even if it led to no other result, afford valuable data for future action. If we were, as Lieutenant-Colonel Cameron says, to survey the country "in conjunction with the United States' people," and to pledge ourselves beforehand "to come to fresh terms on the result of such a survey," it "would be an invitation to them to dispute over every inch of the ground."

6. Assuming, then, that the preliminary survey is to be such as that above suggested, that the inquiry, though possibly simultaneous, is not to be a joint inquiry, and that the Commissioners will be called upon to report to their respective Governments, and not to

find a frontier acceptable to both Commissions, it becomes necessary to consider, in accordance with the terms of my telegram, what instructions should be given to the Canadian Commissioners, and what scope should be assigned to the inquiry intrusted to them.

7. The main object of the inquiry would be to prepare the way for the delimitation of a frontier according with the spirit, if not with the letter, of the Convention between Great Britain and Russia of 1825. With regard to the intention of that Convention (Articles III and IV), there does not appear to be much room for doubt. Two indications are given of the line which the frontier is to follow to the north of the Portland Channel :

(a.) From the point at which the Portland Channel strikes the 65th degree of north latitude the line is to follow the summit of the mountains situated parallel to the coast as far as the point of intersection with the 141st degree of west longitude, and is to run thence along the meridian line of the 141st degree as far as the frozen ocean.

(b.) Whenever the summit of these mountains proves to be more than 10 marine leagues from the ocean the frontier is to be formed by a line parallel to the winding of the coast, and never running at a greater distance than 10 marine leagues from it.

8. The papers now before us show that the former of these limits is one which may possibly prove inapplicable to the geographical features of the country. It is stated by Professor Dall, in his Report (quoted by Mr. Bayard in his despatch of the 20th November, 1855), that there is no range of mountains such as that which the framers of the Convention believed to run parallel with the coast line. In place of such a range there is, he says, a series of short ranges, with endless ramifications, described as "irregular, broken, and tumultuous to the last degree," with the further peculiarity that throughout the great part of them the summits are nearly uniform in height, without dominating crests. Even if it were to be decided to take the highest summits of this sea of mountains as features in the boundary line, it would, Mr. Dall believes, be necessary, before the proper summits could be selected, to determine the height of a vast number of scattered peaks, clothed with dense timber, and accessible only at the cost of immense labour and expense.

9. These statements will require verification upon the spot by the Canadian Commissioners before they can be accepted as conclusively disproving the existence of a line of summits suitable as leading features in an international frontier. Should they be verified, we must be prepared to find ourselves obliged to fall back upon the second indication contained in the Treaty of 1825, viz., the line "parallel with the winding of the coast," and never more than 10 leagues distant from it. It is strongly urged by Mr. Dall, and by Mr. Bayard in his comments on Mr. Dall's Report, that such a line could not be laid down in literal accordance with the language of the Convention without incurring enormous expense and delay, and that when laid down it would afford a frontier grotesque in its intricacies and irregularities. Should this, however, prove to be the case, it does not by any means follow that there would be any insuperable difficulty in discovering a line according with the obvious intentions of the framers of the Treaty, and any Commissioners who may be appointed by the Dominion will certainly be instructed to make this their main object. Although neither Mr. Phelps nor Mr. Bayard, both of whom are content with showing the inapplicability of the definition contained in Articles III and IV, make any suggestion as to the principle by which the Commissioners are to be guided, it is presumed that those of the United States will be similarly instructed.

10. It has been suggested that, in order to get over the physical difficulties which present themselves, the international boundary might be determined at special points (these being selected by the Commissioners either on account of their importance as geographical features, or because they have, as in the case of the Stickine River, been already occupied by settlers) through the simple expedient of measuring the distance between such points and the ocean, and so ascertaining whether they come within or without of the Treaty limit of 10 leagues. These points having been thus established, any resulting irregularities in the frontier might, it is contended, be subsequently corrected by a conventional line involving mutual concessions where necessary.

11. With regard to this suggestion, it should no doubt be borne in mind that if any attempt is made at the present time to define the frontier, the definition should, if possible, be such as to avoid all prospect of future disputes, and that, considering the character of the British Columbian coast, any line based on measurements from different points inland to the nearest salt water might prove to be so irregular as to lead to hopeless confusion. In regard to many of the creeks and inlets by which the coast line is indented, it would probably be difficult to ascertain at what point the water became salt, while in some cases it might not be easy to ascertain which of the numerous inlets of the sea were in reality nearest to the point in dispute.

12. On the other hand, the wording of Article IV of the Convention of 1825 does

not necessarily imply that the frontier should run parallel to every sinuosity of the coast line, and be an exact reproduction of it, advancing with every headland, and receding with every inlet, no matter how insignificant. Nor is the Dominion Government prepared to admit, in the absence of information such as that which its Commission would no doubt obtain, that the general contour or winding of the coast, excluding its smaller indentations, could not be laid down in such a manner as to afford a practicable basis for a frontier line running parallel with it.

13. Under these circumstances, I would suggest that if there is to be such a preliminary reconnaissance as that mentioned in the telegram, those to whom it is intrusted should be instructed, in the first place, to ascertain whether it is beyond question, as stated by Professor Dall, that there is no mountain range or series of summits sufficiently defined to admit of its being made use of for the purpose of establishing a frontier in accordance with the Convention of 1825, and, failing such a range or series of summits, to make it their object to discover a natural boundary according substantially with the intention of Articles III and IV of that Convention. Such a boundary might possibly be best obtained by following some of the valleys and rivers by which the coast range is intersected. It should be the endeavour of the Commissioners to ascertain whether there are in existence any such valleys or water-courses that might be used for the purpose of a frontier line, an attempt being made to discover a series of them running at an average distance of 10 leagues from the sea-board, the distance being computed without regard to the sinuosities of the latter, and any advantage given to one Power throughout a particular portion of the line selected being compensated by an approximately equivalent concession to the other Power at other points.

14. A preliminary survey conducted with these objects need not involve any very large expenditure of public money. The work would be similar in kind to that which has been undertaken whenever a line of railway is carried through a mountainous district, and there would probably be no want of professional men of the class of those employed in the location of the Canadian Pacific Railway who would be fit to assist in such an operation.

15. If it should prove that no natural features lending themselves to the delimitation of such a frontier are in existence, that the valleys and water-courses run rather at right angles to the coast line than parallel with it, it would probably be necessary to fall back upon the alternative apparently present to Mr. Bayard's mind when he wrote his despatch to Mr. Phelps, already quoted, viz. :—"A frontier bounded by right lines having geodetic termini," such termini to be selected at points where the geographical features of the coast were clear and distinct, and where it was easy to apply the language of the Treaty of 1825. It might be ultimately agreed upon that the frontier should consist of an air-line drawn between points so selected, no attempt being made to survey that air-line for the present. In the event of a question arising hereafter with regard to any particular mineral-bearing region or district open for settlement, there would be no difficulty in ascertaining whether it lay to the east or to the west of the air-line.

16. It is worthy of remark that an examination of the official papers (*vide* Sessional Papers, vol. xi, 1878, No. 125), containing the history of the communications which passed during the years 1872-77 between the Governments of the United States on the one hand and those of Canada and Great Britain on the other in regard to the Alaska boundary, shows that during those years, although readiness was repeatedly expressed on the part of the Dominion to consent either to a partial or to a complete delimitation of the frontier, the proposal was again and again abandoned by the United States, chiefly upon the ground of the expense involved. The cost of the necessary surveys appears to have been then estimated at 1,500,000 dollars, and the time required to complete it at ten years. (*Vide* President Grant's Message to Congress, 1872.) These figures, however, probably had reference to a complete survey of the whole line, with a view to its delimitation on the spot from end to end.

17. The above observations have no application to so much of the frontier as would lie between the south point of Prince of Wales Island and the head of the Portland Channel, or between the point of intersection of the 141st degree and the Northern Ocean. As to the latter portion of the boundary no question has arisen. The former, however, still requires to be defined, and with this object a survey of the waters between Prince of Wales Island and the Portland Channel would appear to be desirable.

I have, &c.
(Signed) LANSDOWNE.

Inclosure 3 in No. 35.

Lieutenant-Colonel Cameron to Sir C. Tupper.

Dear Sir Charles,

Sheerness, November 12, 1884.

I SENT you last night my Memorandum on the Hon. Mr. Smith's letter about the eastern boundary of British Columbia. I had not the means by me of having it stitched, and, desiring not to delay its dispatch, sent it off unsewn. Will you oblige me by having the stitching done.

I now send you the letter of Mr. Dall about the Alaska boundary, with Sir John Macdonald's indorsed instructions.

Mr. Herbert, in his letter of the 29th July, referred to your communication to him as an application "to inspect any documents in this Department (Colonial Office) which may tend to show the intention of Parliament as to the true location of the eastern boundary of British Columbia."

Mr. Meade, in writing to you on the 29th July, 1884, to comply with your request, used similar language; and on the 2nd September, 1884, Mr. Wingfield, telling me I might enter on the work, again used similar language.

But I had no authority to investigate the Alaska boundary question; and there is this difference between it and the British Columbian eastern boundary, the former is one affecting colonial interests only, the latter is Imperial, having to do with an international boundary.

I shall be glad to investigate it if desired. When engaged in marking the 49th N. lat. parallel, I was called upon to make a Report on the Alaska boundary, and to render an estimate of the cost of its demarcation. This I did somewhat fully. My estimate would now have to be reduced by the difference of the cost of material, supplies, and labour which would arise from the increased facilities offered by settlement of Vancouver's Island, &c.

Upon Mr. Dall's suggestions I would remark that before the question is opened with the United States' Government, it would be well for the Canadian Government to have a previous clear knowledge of the topography of the possible boundary line.

To survey the country in conjunction with the United States' people, and to agree to come to fresh terms on the result of such a survey, would be an invitation to them to dispute over every inch of the ground. The meridian line from Mount St. Elias is a simple enough matter, but not so the line from the south up to Mount St. Elias.

The definition of the latter part of the line is, I think, sufficiently clear in the Treaty. I can recall only one debateable point, namely, a reference to the sinuosities of the coast in marking the line.

In the case of inlets, for which the coast is noted, and mouths of rivers, at what point would the coast line be taken to be? Although this is, I think, speaking from recollection, the only indefinite description in the Treaty, there would be extreme difficulty in tracing any such line inland, were it necessary to do so.

The line is defined to run along mountain range, and, in the event of this failing, in a direction parallel to the sinuosities of the coast line, but in no case further inland than 10 marine leagues.

If it be determined to open the question with the United States, it would be highly desirable, before starting parties to mark the line, to submit questions to the United States upon all possible debateable points in the application of the Treaty, and to arrive at a common understanding about the interpretation by which the Boundary Commissioners should be guided.

The instructions to the Commissioners on these heads should be alike from the two countries.

I have kept a copy of the papers I am now sending to you, in case you may desire to refer to me again about them.

Yours, &c.

(Signed) D. R. CAMERON.

No. 36.

Sir P. Currie to Sir R. Herbert.

Sir,

Foreign Office, March 31, 1886.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 22nd instant, and to state to you in reply, for the information of Her Majesty's Secretary of State for the Colonies, that, in accordance with his Lordship's request, a

communication has been addressed to the Public Record Office authorizing the Keeper of the Records to allow Colonel Cameron to inspect the correspondence bearing on the Alaska Boundary question in connection with the negotiation of the Treaty with Russia of 1825.

I am, &c.
(Signed) P. CURRIE.

No. 37.

Sir L. West to the Earl of Rosebery.—(Received April 1.)

(No. 73.)

My Lord,

Washington, March 20, 1886.

WITH reference to your Lordship's despatch No. 35 of the 5th February, directing me to place myself in direct communication with the Governor-General of Canada in regard to the question of the Alaska boundary, I have the honour to inclose to your Lordship herewith copy of a despatch from the Marquis of Lansdowne on the subject.

The agreement of the Government of Canada in principle to a preliminary survey of the Alaska boundary was duly notified to the Secretary of State by Mr. Helyar during my absence, and upon my return from Ottawa I placed in Mr. Bayard's hand a Memorandum, copy of which is herewith inclosed, embodying the views of the Dominion Government as expressed to me.

Copy of my despatch to the Marquis of Lansdowne reporting my interview with the Secretary of State is herewith inclosed.

I have, &c.
(Signed) L. S. SACKVILLE WEST.

Inclosure 1 in No. 37.

The Marquis of Lansdowne to Sir L. West.

(Confidential.)

Sir,

Government House, Ottawa, March 9, 1886.

I HAVE the honour to inform you that, in a despatch dated the 6th February, the Secretary of State for the Colonies communicated to me the proposal of the United States' Government for the appointment of a Commissioner to deal with the Alaskan Boundary question, which proposal was described in Lord Salisbury's despatch to you No. 8 A of 12th January, of which a copy was inclosed in the above-mentioned despatch. It was intimated to me that, in the event of my Government agreeing to that proposal, I was at liberty to communicate directly with you upon the subject.

2. I now beg to forward herewith, for your information, a copy of a cypher telegram which I addressed to Lord Granville to-day in reference to this question.

3. You can, if you think proper, communicate the substance of this telegram to the Secretary of State of the United States.

I have, &c.
(Signed) LANSDOWNE.

Inclosure 2 in No. 37.

The Marquis of Lansdowne to Earl Granville.

(Telegraphic.)

March 9, 1886.

MY Government agree in principle to preliminary survey of Alaska boundary by Commission. Will send despatch as to instructions and scope of inquiry. Have informed Sir L. West.

Inclosure 3 in No. 37.

Memorandum.

MR. PHELPS' proposal was for the appointment of a Joint Commission.

The Dominion Government, however, while expressing its general agreement to a preliminary survey, has not expressed its assent to such a Commission.

They consider that a preliminary survey, such as was suggested in the President's Message to Congress, is preferable to a formally constituted Joint Commission, which would involve a large expenditure of public money, and lead, perhaps, to interminable discussions.

They are of opinion that the survey which they are prepared to agree to would enable the two Governments to establish a satisfactory basis for the delimitation of the frontier, and demonstrate whether the conditions of the Convention of 1825 are applicable to the now more or less known features of the country.

(Signed)

L. S. SACKVILLE WEST.

Inclosure 4 in No. 37.

Sir L. West to the Marquis of Lansdowne.

My Lord,

Washington, March 19, 1886.

I HAVE the honour to report to your Excellency that at an interview which I had this day with the Secretary of State I placed in his hands a Memorandum, of which copy is inclosed, embodying the views of your Excellency's Government, as expressed to me, on the proposal of the United States' Minister in London for the appointment of a Joint Commission to define the boundary between British Columbia and Alaska.

I pointed out to Mr. Bayard that neither in the President's Message, nor in his note to Mr. Phelps, is mention made of a Joint Commission, and that a preliminary survey only is recommended.

Mr. Bayard acquiesced, as I understood him, in this view.

I have, &c.

(Signed)

L. S. SACKVILLE WEST.

No. 37*.

Sir P. Currie to Sir R. Herbert.

(Confidential.)

Sir,

Foreign Office, April 2, 1886.

WITH reference to the letter from this Office of the 29th ultimo, I am directed by the Earl of Rosebery to transmit to you the accompanying copy of a despatch from Her Majesty's Minister at Washington,* inclosing a correspondence with the Governor-General of Canada and the United States' Government on the Alaska Boundary question.

I am, &c.

(Signed)

P. CURRIE.

No. 38.

The Earl of Rosebery to Sir L. West.

(No. 7.)

(Telegraphic.)

Foreign Office, April 3, 1886, 4.30 P.M.

ALASKA boundary.

Inform United States' Government that Her Majesty's Government agree in principle to a preliminary investigation, but that this must not necessarily be understood to imply that a Joint Commission is agreed upon.

No. 39.

The Earl of Rosebery to Sir L. West.

(No. 75. Confidential.)

Sir,

Foreign Office, April 3, 1886.

WITH reference to your despatch No. 73 of the 20th ultimo, I transmit herewith, for your information, copies of a telegram and of a despatch addressed by the Governor-General of Canada to Her Majesty's Secretary of State for the Colonies, embodying the views of the Dominion Government relative to the Alaska Boundary question.†

In accordance with a suggestion made by Earl Granville, I have requested you, by telegraph to-day, to inform the United States' Government that Her Majesty's Government agree in principle to a preliminary investigation of the Alaska boundary, but that this must not necessarily be understood to imply that a Joint Commission for the purpose is agreed upon.

The exact form which the proposed investigation should take will be a matter for

* No. 37.

† Inclosures 1 and 2 in No. 35.

further consideration between the two Governments, and on this point the views of Her Majesty's Government will be communicated to you hereafter.

In the meanwhile, I should be glad to learn from you the decision taken by Congress in regard to this question.

I am, &c.
(Signed) ROSEBERY.

No. 40.

Sir Villiers Lister to Sir R. Herbert.

Sir, *Foreign Office, April 3, 1886.*
YOUR letter of the 31st ultimo, with its inclosure, relative to the question of the Alaska boundary, has been laid before the Earl of Rosebery.

In reply, I am directed by his Lordship to request that you will inform Earl Granville that Her Majesty's Minister at Washington has been directed, by telegraph, to inform the United States' Government that Her Majesty's Government agree in principle to a preliminary investigation, but that this must not necessarily be understood to imply that a Joint Commission is agreed upon.

The original inclosures which accompanied your letter of the 31st March are returned herewith.

I am, &c.
(Signed) T. V. LISTER.

No. 41.

Mr. Bramston to Sir P. Currie.—(Received April 8.)

Sir, *Downing Street, April 8, 1886.*
WITH reference to previous correspondence relative to the Alaska Boundary question, I am directed by Earl Granville to transmit to you, to be laid before the Earl of Rosebery, a copy of a letter from Colonel Cameron on the subject.

It will be seen that Colonel Cameron is of opinion that it is desirable that all documents in the archives of the British Embassy at St. Petersburg bearing on the Convention of 1825 should be transmitted to this country without delay, and I am to request that, if Lord Rosebery sees no objection, the necessary instructions may be sent to Her Majesty's Ambassador.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure in No. 41.

Colonel Cameron to Earl Granville.

Sir, *Downing Street, March 31, 1886.*
IN a despatch of the 19th January, 1886, the United States' Minister referred to a conversation he had had with Lord Salisbury on the 12th of the month relative to the British Alaskan Boundary, and at the same time transmitted, for his Lordship's information, a copy of the instructions received by him from the United States' Secretary of State, dated 20th November, 1885.

The United States' Minister alludes to those instructions as being the foundation of the representations he made to Lord Salisbury in their conversation on the 12th January, 1886.

There are one or two points upon which the United States' Secretary has apparently been misguided, and upon these he has arrived at a very erroneous conclusion as to the boundary described by the Convention of 1825 between Great Britain and Russia.

As regards the water boundary, founding his reasoning upon the idea that Wales' Island at the entrance to Portland Inlet is synonymous with the Prince of Wales' Island referred to in the Convention of 1825, the United States' Secretary assigns all the islands between Portland Channel and Observatory Inlet to the United States.

But Wales' Island was so named within the last few years, and can easily be shown to be wholly distinct from the Prince of Wales' Island of the Convention, by many circum-

stances, but very clearly indeed by the position of the southern extremity of Prince of Wales' Island being noted in the Convention as between 131° and 133° west longitude.

Next, the United States' Secretary, accepting an alternative reading of the English version of the Convention of 1825, interprets the language of Article III as declaring that Portland Channel strikes the 56th degree of north latitude, whereas what the Article in the French text says and means is that the boundary does so.

The text runs as follows:—

“La dite ligne remontera au nord le long de la passe dite Portland Channel, jusqu'au point de la terre ferme, où elle atteint le 56° degré de latitude nord.”

Then the United States' Secretary enters on some explanations of his interpretation of the Eastern Alaska Boundary, showing its delineation in accordance with the Convention to be impracticable, since it follows a course through a sea of mountains.

He was not, however, aware that the line described by the Convention is one following the mountains next to the sea, and that there is no question of going further afield for its location, inasmuch as the intention of the negotiators and of the contracting Governments (Great Britain and Russia) on this point are on record.

The correct location of the line is over the tops of the mountains nearest to the sea.

The remarks of Mr. Dall, quoted by the United States' Secretary, are due to imperfect information as to the circumstances attending the negotiations. They do not surprise me, for until I had recently an opportunity of inspecting official records, I had difficulty in forming an opinion as to the practicability of the boundary described by the Convention of 1825.

The views taken by the United States' Secretary render it specially desirable that all documents in the Embassy archives at St. Petersburg connected with the negotiation of the Convention of 1825 may be transmitted to London as soon as possible, and that all maps and charts relating to the negotiations, a despatch from the Right Honourable George Canning to Mr. S. Canning, date unknown, to which Mr. S. Canning replied on the 3rd (15th) April, 1825, and also the third inclosure in the Right Honourable Mr. George Canning's despatch of the 8th December, 1824, to Mr. S. Canning, may be sent by the very earliest opportunity. The third inclosure consisted of a copy of a despatch from Count Nesselrode to Count Lieven, accompanied by a Russian “contre-projet” having marginal annotations assigning reasons for the suggested alterations.

There is reason to believe that a map by Arrowsmith was used by the negotiators, and it is known that Sir Charles Bagot, who first opened the negotiations, was supplied with a copy of a Russian map based, it is believed, on Vancouver's surveys.

Any charts or maps at the Embassy of dates prior to June 1825, showing the Alaska coast, but especially Russian charts, would be valuable, more particularly if they happen to bear any marks showing that the negotiators collectively or individually had referred to them.

I am &c.

(Signed) D. R. CAMERON.

No. 42.

Sir L. West to the Earl of Rosebery.—(Received April 10.)

(No. 85.)

My Lord,

Washington, March 28, 1886.

WITH reference to the Memorandum on the proposal of the United States' Government for the appointment of a Joint Commission to define the boundary between British Columbia and Alaska, which, as reported in my despatch No. 73 of the 20th instant, I placed in the hands of the Secretary of State, I have the honour to inclose copy of a despatch which I have received from the Marquis of Lansdowne, stating that it expresses exactly the views of his Government in regard to this matter.

I have, &c.

(Signed) L. S. SACKVILLE WEST.

Inclosure in No. 42.

The Marquis of Lansdowne to Sir L. West.

Sir,

Government House, Ottawa, March 24, 1886.

I HAVE the honour to acknowledge the receipt of your despatch of the 19th March, inclosing copy of a Memorandum upon the proposal of the United States'

Minister in London for the appointment of a Joint Commission to define the boundary between British Columbia and Alaska.

The Memorandum expresses exactly the views of my Government in regard to this matter.

I have, &c.
(Signed) LANSDOWNE.

No. 43.

Mr. Bramston to Sir P. Currie.—(Received April 10.)

Sir,

Downing Street, April 9, 1886.

I am directed by Earl Granville to acknowledge the receipt of your letter of the 24th ultimo, inclosing a letter from Mr. J. C. Knight Bruce, offering his services on the proposed Commission for fixing the boundary between Alaska and British North America.

Lord Granville would suggest that Mr. Knight Bruce should be informed that the arrangements connected with the proposal for an investigation of the Alaska boundary are at present incomplete, but that a note will be made of his application.

I am, &c.
(Signed) JOHN BRAMSTON.

No. 44.

Mr. Bramston to Sir P. Currie.—(Received April 12.)

(Confidential.)

Sir,

Downing Street, April 12, 1886.

WITH reference to your letter of the 15th February last, I am directed by Earl Granville to transmit to you, to be laid before the Earl of Rosebery, a copy of a correspondence with the Admiralty and the Governor-General of Canada relative to certain maps desired by the United States' Minister in connection with the Alaska boundary question.

Lord Granville would suggest that the Chart accompanying the Admiralty letter of the 3rd instant should be communicated to Mr. Phelps, with an intimation that the other maps required by him will be forwarded to him as soon as they are received from the Admiralty and the Canadian Government.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 44.

Mr. Bramston to the Secretary to the Admiralty.

Sir,

Downing Street, March 27, 1886.

I AM directed by Earl Granville to state, for the information of the Lords Commissioners of the Admiralty, that Her Majesty's Government are in communication with the Government of the United States with regard to the question of the appointment of a Commission for determining or inquiring into the boundary of Alaska, and in anticipation that such a Commission will be appointed, Lord Granville has suggested to the Earl of Rosebery that Colonel Cameron, R.E., should, in this event, be the British Representative on the Commission.

The War Office have already placed Colonel Cameron's services at the disposal of this Department for the purpose of making a preliminary examination of the documents and maps bearing on the question.

The United States' Minister has requested that he may be supplied with a copy of the Admiralty Chart No. 2431, and their Lordships will perceive from the accompanying copy of a Memorandum by Colonel Cameron, that he considers that the Chart, when delivered to Mr. Phelps, should bear on the face of it a statement of the sources whence certain of the details have been derived. Two copies of the Chart are inclosed, and I am to request that they may be referred, together with the Memorandum, to the Hydrographer to the Admiralty, in order that he may consider how effect may best be given to Colonel Cameron's recommendation.

Mr. Phelps also wishes to be furnished with a copy of a Survey by Staff Commander

Pender, referred to in the accompanying extract from a despatch from Mr. Bayard, and I am to state that Lord Granville would be obliged if their Lordships would furnish him with two copies of the Survey in question.

I am to request that an answer may be returned to this letter at their Lordships' earliest convenience.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure 2 in No. 44.

Memorandum.

THE Admiralty Chart, "Port Simpson to Cross Sound," corrected to March 1884, proposed to be sent to the United States' Ambassador, should be referred to the Admiralty for consideration.

It includes the names of Prince of Wales' Island and Portland Inlet; it also shows the Cape "Co de Chacon," longitude $131^{\circ} 55'$ west, to be in latitude $54^{\circ} 42\frac{1}{2}'$, and to have been surveyed eastward and westward.

All these points affect the interpretation of the Convention with Russia of February 1825, but neither the Prince of Wales' Island nor the Portland Inlet indicated on the Chart appear to have been recognized by British authority in 1825, and it is not known by what authority Co de Chacon is placed in latitude $54^{\circ} 42\frac{1}{2}'$.

The Convention mentions $54^{\circ} 40'$ as the southernmost point of Prince of Wales Archipelago.

Vancouver describes Portland Canal as having a separate inlet to the north of Observatory Inlet.

Similarly, a Russian Chart in the Hydrographic Department of the Admiralty shows the Portland Canal as distinct from the Observatory Inlet connection with the ocean.

But the British Chart shows part of the Observatory Inlet as forming Portland Inlet.

The United States' authorities have asked for the Chart with special reference to the boundary question, and it should, therefore, on its face bear clear evidence that the details to which reference has now been made cannot possibly be allowed to affect the determination of the boundary-line.

This may, perhaps, be best accomplished by a reference on the face of the Map itself indicating the source and date of this determination.

(Signed) D. R. CAMERON, Colonel.

Colonial Office Library, March 22, 1886.

Inclosure 3 in No. 44.

Earl Granville to the Marquis of Lansdowne.

(Secret.)

My Lord,

Downing Street, March 26, 1886.

YOUR Lordship will observe from the inclosures to my predecessor's despatch, Secret, of the 6th ultimo, relative to the Alaska Boundary question, that the American Minister at this Court is desirous of being supplied with a copy of the Chart "of the Geological Survey of Canada, recently published."

I presume that the reference is to the "Map of the Dominion of Canada, geologically coloured from surveys made by the Geological Corps, 1842-82." Only one copy of this Map is in the possession of this Department, and I have, therefore, to request that you will move your Government to supply me with further copies for the use of the American Minister, this Department, and the Foreign Office.

It is possible that this Map, being intended for geological purposes, may have been drawn without any great attempt at accuracy as regards the position of the boundary-line in the neighbourhood of Portland Inlet, in which case it would, of course, be undesirable that Her Majesty's Government should in any way appear to recognize this Map as an authority on the question. I would therefore suggest that your Government should consider the advisability of having the Map marked on the face of it, before being forwarded to me, with a statement showing the source from which the position of the boundary-line has been taken, or otherwise indicating the degree of authority which is to be attached to the Map on this point.

I have, &c.
(Signed) GRANVILLE.

Inclosure 4 in No. 44.

The Secretary to the Admiralty to Sir R. Herbert.

Sir,

Admiralty, April 3, 1886.

IN accordance with the request contained in your letter of the 27th ultimo, I am commanded by my Lord Commissioners of the Admiralty to transmit herewith, for Lord Granville's information, two copies of the Admiralty Chart No. 2431, with notes thereon showing the sources whence certain details have been derived on the subject of the boundary of Alaska.

2. The copies of Staff Commander Pender's original Survey, also asked for in your letter under reply, are being prepared, and will be forwarded as soon as they are ready, but being large sheets, they cannot be supplied immediately.

I am, &c.

(Signed) EVAN MACGREGOR.

Inclosure 5 in No. 44.

The Secretary to the Admiralty to Sir R. Herbert.

THE Secretary to the Admiralty presents his compliments to the Under-Secretary of State for the Colonies, and in reference to the Admiralty letter of the 3rd instant, begs to transmit herewith the copies of the original Surveys of Observatory Inlet and Portland Canal in British Columbia, which were requested in the Colonial Office letter of the 27th ultimo, in connection with the Alaska Boundary Commission.

Admiralty, April 7, 1886.

Inclosure 6 in No. 44.

Mr. Bramston to the Secretary to the Admiralty.

(Confidential.)

Sir,

Downing Street, April 12, 1886.

I AM directed by Earl Granville to acknowledge the receipt of your letters of the 3rd and 7th instant, forwarding maps in connection with the Alaska Boundary question.

I am to request that you will lay before the Lords Commissioners of the Admiralty the accompanying copy of a Memorandum by Colonel Cameron upon the copies of Staff Commander Pender's Surveys which were forwarded with your letter of the 7th instant, and that you will move their Lordships to consider how effect may best be given to Colonel Cameron's recommendation. The copies of the Surveys are returned herewith.

I am, &c.

(Signed) JOHN BRAMSTON.

Inclosure 7 in No. 44.

Memorandum.

WITH regard to the copies of Captain Pender's original Surveys of Portland Canal and Observatory Inlet, a set of which has been procured for transmission to the United States' Government, the following remarks are submitted.

The United States' authorities have applied for these Charts, expressly with a view to the determination of the international boundary.

They have already laid stress on the circumstance that the embouchure of Observatory Inlet is called Portland Inlet on British Charts, and have made use of this circumstance in support of their contention that the international boundary leaves the ocean, in accordance with the Convention of February 1825 between Great Britain and Russia by Portland Inlet.

The United States' authorities have also referred, in their communications with Her Majesty's Foreign Office, to the supposed error in the Convention with regard to the position of the head of Portland Canal relatively to the parallel of 56° north latitude.

In connection with these points, it is desirable that nothing should be furnished

which, under the circumstances, may naturally be construed by the United States' authorities as a formal and official acquiescence in their arguments.

Consequently, on the face of Chart No. VIII, Port Simpson to Naso, 1868, to be sent to the United States' authorities, there should be an official record that the name Portland Inlet, given to the connection of Observatory Inlet with the ocean, and the name, Portland Canal, given to the northern connection between Observatory Inlet and the northern part of Portland Canal, are of comparatively recent application.

Also, the note by Navigating Lieutenant Coghlan, R.N., on the face of the Chart, explanatory of a supposed mistake on the part of Vancouver in recording the latitude of the northern extremity of Portland Canal, requires revision.

The explanatory note attributes the alleged mistake to a misprint of $55^{\circ} 45'$ north latitude for $55^{\circ} 55'$ north latitude; and supports this view by stating that Vancouver records his having made the best of his way back from the head of the canal, to which he had assigned $55^{\circ} 45'$ north latitude, to a position which he noted as $55^{\circ} 43'$ north latitude, a distance of approximately only 2 miles, although he occupied a day in accomplishing it.

But the misprint does not appear to have occurred, and the movements of Vancouver have been misread.

The text of Vancouver's "History" agrees with his Chart, and the Chart would not have been made from the History.

Vancouver's "History" records the latitude of the head of the canal as $55^{\circ} 45'$ north, and of his next position as $55^{\circ} 42'$ north (not $55^{\circ} 43'$, as noted by Lieutenant Coghlan); and it notes the time between his reaching the head of the canal and his return to latitude $55^{\circ} 42'$ as two hours only; that is, from 10 A.M. to noon on the 29th July, 1793, and not a whole day, as attributed by Lieutenant Coghlan.

Assuming the latitudes recorded in Vancouver's "History" to be relatively correct, in those two hours, including stoppages, he made 3 nautical miles of southing—a very fair rate of travelling under the circumstances.

Thus, so far as Vancouver's Chart and the text of his "History" are concerned, they are perfectly consistent with one another.

Moreover, if his determination of latitude at one of the two stations referred to was erroneous, it may be concluded, from the short time occupied in work and passing between them, that an error of nearly equal amount affected his determination of latitude at the other station.

Such a coincidence could hardly have happened if Vancouver's calculations were based on separate observations of the sun's altitude at the respective stations.

On the other hand, if he deduced the latitude of the head of the canal from the results of the observations taken by him at the second station, both would of course be affected by the same error, but this would not be the result of a misprint, nor is it the least likely that the relative latitudes of the two stations, as recorded by Vancouver, are far wrong.

(Signed) D. R. CAMERON, *Colonel, R.A.*

April 7, 1886.

No. 45.

Mr. Bramston to Sir P. Currie.—(Received April 12.)

Sir,

Downing Street, April 10, 1886.

I AM directed by Earl Granville to acknowledge the receipt of your letter of the 22nd ultimo, inclosing a letter from Major-General Laurie, applying for the appointment of British Commissioner on the Alaska Boundary Commission, or for some subordinate employment under Her Majesty's Government.

I am to transmit a copy of an application which Major-General Laurie has addressed to this Office, together with a copy of the reply which has been sent to him; and I am to suggest that a similar reply should be made to the application which he has sent to the Foreign Office.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 45.

Major-General Laurie to Earl Granville.

My Lord,

47, Porchester Terrace, London, March 20, 1886.

UNDERSTANDING that it is proposed to appoint a Commission to define the boundaries between the Territory of Alaska, United States of America, and the Dominion of Canada, I have the honour to apply for the appointment of British Commissioner.

Having served in command of the militia in the Province of British Columbia, I am well acquainted with that section of country, and with the prominent public men both in that province and in the neighbouring United States; and as I have held a Staff appointment for more than twenty years in Canada, and mixed much with the people on both sides of the line, both east and west, my extended acquaintance should give me special qualifications for this duty, of which, however, the Honourable Sir Charles Tupper, G.C.M.G., C.B., can also speak.

I also served as second in command and Commandant of Base and Lines of Communication during the recent North-west rebellion.

I have heard that it is probable Colonel Cameron, Royal Artillery, may be designated for this appointment, and if this be so I should not wish to place my name as a competitor with him, but would then respectfully submit my name for any employment in connection with the Colonial Service for which my varied experience may fit me.

I am quite willing to accept a subordinate position until I have given satisfactory proof of my fitness for more responsible office.

My principal desire is for employment.

I have, &c.
(Signed) J. WIMBURN LAURIE.

Inclosure 2 in No. 45.

Mr. Bramston to Major-General Laurie.

Sir,

Downing Street, April 10, 1886.

I AM directed by Earl Granville to acknowledge the receipt of your letter of the 20th ultimo, applying for the appointment of British Commissioner in connection with the proposed survey of the boundary between Canada and Alaska, or for some other appointment in the Colonial Service.

Lord Granville desires me to inform you, in reply, that the arrangements connected with the proposal for an investigation of the Alaska boundary are at present incomplete, but that in the event of a British Commissioner being appointed the post will probably be offered to another officer.

With regard to your application for general employment, I am to inclose a printed paper relating to Colonial appointments, and to state that his Lordship fears that he is not likely to have any opportunity of offering you employment.

I am, &c.
(Signed) JOHN BRAMSTON.

No. 46.

The Earl of Rosebery to Sir L. West.

(No. 84.)

Sir,

Foreign Office, April 12, 1886.

IN the course of conversation to-day, the American Minister said that he would be glad if I would send him a communication as to the present position of the Alaska Boundary question.

Mr. Phelps stated that he only wished to know whether the appointment of a Commission was decided upon in principle, so that his Government might procure from Congress an appropriation for its expenses. The actual duties of the Commission, he said, might be left to future consideration. In his view the Commission might be one of two things; it might either propose a frontier after investigation, or else it might collect facts bearing upon the case and report upon them. The second course, he thought, would lead in all probability as directly to the ascertaining of a frontier as the first.

I transmit herewith a copy of a letter which has been addressed to Mr. Phelps in reply to his inquiry.*

I am, &c.
(Signed) ROSEBERY.

No. 47.

Mr. Bramston to Sir P. Currie.—(Received April 14.)

(Confidential.)

Sir,

Downing Street, April 14, 1886.

WITH reference to previous correspondence respecting the Alaska Boundary question, I am directed by Earl Granville to transmit to you, for the information of the Earl of Rosebery, a copy of a Memorandum which has been drawn up by Colonel Cameron in anticipation of his Report, embodying the views he has formed on the subject after a preliminary examination of the documentary evidence at present accessible to him.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure in No. 47.

Memorandum.

THE United States' Minister having communicated to Her Majesty's Secretary of State for Foreign Affairs the views of the United States' Government with regard to the location of the British-Alaskan boundary-line, and the Canadian Government having the subject under consideration, the Undersigned,—in order to guard against the expression of opinions which might militate against Imperial and Canadian interests,—has the honour, in anticipation of the completion of the Report upon which he is engaged, to submit the following results of his examination of correspondence and records connected with the negotiation of the Convention of February 1825 with Russia.

2. The southernmost point of the Prince of Wales' Island may or may not be found to be in latitude $54^{\circ} 40'$ north, as noted in the IIIrd Article of the Convention of 1825.

3. Cape Chacon is generally assumed to be the point at which the line described by the Convention begins, but there is no authority for this. In some Maps and Charts Cape Muzon is shown to be more southerly than Cape Chacon, and no particular headland is named in the Convention.

4. "Portland Channel," referred to in the Convention, is quite distinct from the Portland Inlet of modern Charts and Maps. *Portland Inlet* is a modern name given to water which at the time of the Convention was known only as *Observatory Inlet*.

Portland Channel has its own separate connection with the ocean, and Russian Charts about the time of the Convention show Portland Canal, or Channel, to be wholly distinct from that part of Observatory Inlet called in recent years Portland Inlet.

On Vancouver's Charts, and in the 4to edition of his "Voyages," Portland Canal is applied to the same arm of the sea as "Portland Channel" is applied to in the 8vo edition.

In a Contre-Projet submitted by the British Plenipotentiary to the Plenipotentiaries of Russia, he refers to the latitude of the southern point of coast-line claimed by Russia (that is, at the Portland Channel) as being in latitude $54^{\circ} 45'$. A reference to Vancouver's Chart will show that this is practically the mouth of Vancouver's Portland Canal, of which the northern side is described in the text of his "Voyages" (4to edition, vol. ii, p. 344; 8vo edition, vol. iv, p. 146) as being in latitude $54^{\circ} 45\frac{1}{2}'$.

5. In the sentence of the IIIrd Article of the Convention—"La dite ligne remontera au nord le long de la passe dite Portland Channel jusqu'au point de la terre ferme où elle atteint le 56° degré de latitude nord,"—the words "où elle atteint le 56° degré de latitude nord" have been interpreted to mean, "where Portland Channel reaches the 56th degree of north latitude," whereas the correct translation would appear to be, "where the line reaches the 56th degree of north latitude."

To read these last words as referring to the Channel involves the assumption that the Plenipotentiaries ignored the Maps they consulted.

6. In the next sentence of the IIIrd Article—"De ce dernier point la ligne de démarcation suivra la crête des montagnes situées parallèlement à la côte, jusqu'au point

d'intersection du 141° degré de longitude ouest,"—is meant to indicate a line marked out by the tops of the mountains next to the sea.

The gap between the point on the parallel of 56° north latitude to which the line had previously been carried and the crest of the mountains next the sea—if any such gap there should prove to be—is left to be filled in by a direct line, just as in the case of the boundary extending between the southernmost point of the Prince of Wales' Island and the mouth of Portland Channel is described by the words, "à partir du point le plus méridional de l'île dite Prince of Wales, la dite ligne remontera au nord le long de la passe dite Portland Channel."

It is to be observed that the text of the Convention makes no reference to a chain of mountains, and it uses the adverbial form of the word parallel, which has been mistranslated in the English version. There is as much difference between the expressions, "les montagnes situées *parallèlement* à la côte," and "les montagnes qui se trouvent *parallèles* à la côte," as there is in English between "a line running *north-westerly*" and "a *north-west* line."

There are expressions in the correspondence connected with the negotiations which show that, while the writers were not quite familiar with map-reading, and were inclined to attribute to the old conventional signs for unsurveyed mountainous regions a meaning which could never have been dreamt of by the experienced men who made the Charts, they (the writers) did not consider the conventional signs at all reliable with respect to the signification they attributed to them. Moreover, the Plenipotentiaries were aware that rivers rising inland in British territory traversed Russian Alaska to the ocean, and, in fact, by Article VI made provision for freedom of navigation along the streams.

Consequently, it is quite impossible the Plenipotentiaries had any belief that a continuous mountain ridge generally parallel to the coast would be found from Portland Channel to the 141st degree of west longitude.

The history of the mountain summit line is shortly as follows :—

It was first proposed by the Russian Plenipotentiaries at the second meeting of the negotiators, when in a Contre-Projet they desired that the line should run through Portland Channel—"jusqu'aux montagnes qui bordent la côte. De ce point la limite remonterait le long des montagnes parallèlement aux sinuosités de la côte jusqu'à la longitude du 139° degré (méridien de Londres").

The British negotiator objected to the extent of southing claimed by the Russians, and proposed to substitute a line from a point on the continental shore north of Duke of York's Island (reserving Prince of Wales' Island to the British), running 10 marine leagues inland, and then "de ce point vers le nord et le nord-ouest parallèlement aux sinuosités de la côte et toujours à la distance de 10 lieues marines du rivage jusqu'au 140° degré de longitude (de Greenwich).

The Russian Plenipotentiaries adhered to their opinion, and in replying to the British proposal, made reference to the continental boundary they had previously proposed in the following terms : "et à l'est, la chaîne de montagnes qui suit à une très petite distance les sinuosités de la côte."

The British Plenipotentiary now proposed a line which would give the Prince of Wales' Island to Russia, but as regards the continent, adhered to his former description.

The Russians still maintaining their original proposal, the negotiations were suspended, and an appeal was made by them to His Majesty's Government.

To the consequent representations made, at the instance of Count Nesselrode, by the Russian Ambassador, Count de Lieven, to His Majesty's Government, the Right Honourable George Canning yielded in principle; he assented to a line from the south of Prince of Wales' Island up Portland Canal.*

In the despatch of Count Nesselrode (Russian Secretary of State and one of the Plenipotentiaries) to Count de Lieven, instructing the Count on the points at issue, he remarked with regard to the continental line : "Cette proposition ne nous assurait qu'une étroite lisière sur la côte même. . . . Pour nous, nous bornons nos demandes à celle d'une simple lisière du continent Elle (la Russie) se réserve uniquement un point d'appui," referring here to a mere trading connection between the adjacent islands and the mainland.

Mr. Canning, in replying to Count de Lieven, and assenting, with qualifications, to the Russian proposal, remarked, "The qualifications will consist chiefly in a more definite description of the limit to which the strip of land required by Russia on the continent is to be restricted."

The British Project, drawn up in London in accordance with Mr. Canning's reply to

* Instructions to Sir C. Bagot, No. 26, July 12; No. 29, July 29, 1824.

Count de Lieven, was submitted to the Count, who took exception to that part of it which described the continental line as running, "le long de la base des montagnes qui suivent les sinuosités de la côte." The Count pointed out that a line determined by the base of mountains might be difficult to locate, and in the present instance might even be expected to coincide at times with the shore line. He said: "Le projet de Convention rédigé par le Cabinet Anglais fait courir la limite des possessions Russes et Anglaises sur la côte nord-ouest d'Amérique au sud du Mont Élie, le long de la base des montagnes qui suivent les sinuosités de cette côte. Il est à observer qu'en thèse générale lorsqu'une chaîne de montagnes sert à fixer une limite quelconque, c'est toujours la cîme de ces montagnes qui forme la ligne de démarcation. Dans le cas dont il s'agit ici le mot de *base* par le sens indéfini qu'il présente, et le plus ou moins d'extension qu'on peut lui donner, ne paraît guère propre à mettre la délimitation à l'abri de toutes contestations ultérieures, car il ne serait point impossible, vu le peu de certitude des notions géographiques que l'on possède encore sur ces parages que les montagnes désignées pour limite s'étendissent par une pente insensible jusqu'aux bords même de la côte."

The Russian authorities declined, however, to conclude the Treaty, and on the 12th September, 1824, Mr. Canning, when expressing to Count Lieven his regret at this result, wrote as follows:—

"This refusal is the more unexpected as the chief alterations made in the original project were introduced here" (in London), "as your Excellency can bear witness, at the suggestion of the Russian Plenipotentiaries themselves."

The negotiations were subsequently renewed, Count Nesselrode and M. de Poletica continuing to be the Russian Plenipotentiaries, and Mr. Stratford Canning represented British interests.

Mr. George Canning, when instructing Mr. S. Canning, on the 8th December, 1824, with reference to the continental boundary, wrote as follows:—

"The next Articles relate to the territorial demarcation, and upon them I have only to make the following observations. The Russian Plenipotentiaries propose to withdraw entirely the limit of the *lisière* on the coast which they were themselves the first to propose, viz., the summit of the mountains which run parallel to the coast, and which appear, according to the Map, to follow all its sinuosités, and to substitute generally that which we only suggested as a corrective of their first proposition.

"We cannot agree to this change. It is quite obvious that the boundary of mountains, where they exist, is the most natural and effectual boundary. The inconvenience against which we wished to guard was, that which you know and can thoroughly explain to the Russian Plenipotentiaries to have existed on the other side of the American continent, when mountains laid down as in a certain given position, and assumed in faith of the accuracy of that Map as a boundary between the possessions of England and the United States, turned out to be quite differently situated, a discovery which has given rise to the most perplexing discussion. Should the Maps be no more accurate as to the western than as to the eastern mountains, we might be assigning to Russia immense tracts of inland territory, where we only intended to give, and they only intended to ask, a strip of sea-coast.

"To avoid the chance of this inconvenience, we proposed to qualify the general proposition that the mountains should be the boundary with the condition 'if those mountains should not be found to extend beyond 10 leagues from the coast.' The Russian Plenipotentiaries now propose to take the distance invariably as the rule. But we cannot consent to this change. The mountains, as I have said, are a more eligible boundary than any imaginary line of demarcation, and this being their own original proposition, the Russian Plenipotentiaries cannot reasonably refuse to adhere to it.

"Where the mountains are the boundary we are content to take the *summit* instead of the 'seaward base' as the line of demarcation.

"I omitted, in my last instructions to Sir Charles Bagot, though I had signified to Count Lieven, that I intended to require a small extension of the line of demarcation from the point where the *lisière* on the coast terminates in latitude 59° to the northward. The extension required is from longitude 139° to 141° west, the latter being the parallel* which falls more directly on Mount Elias."

On the 1st March, 1825, Mr. S. Canning, writing from St. Petersburg to Mr. G. Canning, informing him of the Convention having at length been agreed upon and signed, remarked:—

"The alterations which, at their" (the Russian Plenipotentiaries') "instance, I have admitted into the *Projet* such as I presented it to them at first, will be found, I conceive, to

be in strict conformity with the spirit and substance of His Majesty's commands. . . . The line of demarcation along the strip of land on the north-west coast of America assigned to Russia is laid down in the Convention agreeably to your directions, notwithstanding some difficulties raised on this point, as well as on that which regards the order of the Articles, by the Russian Plenipotentiaries."

In a despatch to Mr. S. Canning of the 2nd April, 1825, Mr. George Canning remarks:—

"Having laid them before the King, I have received His Majesty's commands to express His Majesty's particular satisfaction at the conclusion of the Treaty respecting the Pacific Ocean and north-west coast of America in a manner so exactly conformable to your instructions, and to direct you to express to the Russian Government the pleasure which His Majesty derives from the amicable and conciliatory spirit manifested by that Government in the completion of this transaction."

7. A suggestion that the shore lines of the deep, narrow inlets which occur on the Alaskan coast should be considered "windings of the coast," referred to in the Convention is negatived by a universally admitted law of nations and by the language of the Convention itself.

Inlets of which the mouths are less than 6 miles in breadth are territorial; they cease to be part of the ocean.

In the second sub-section of Article IV of the Convention it is provided that, in the absence of mountains, the Russian *lisière*, if not more than 10 marine leagues, shall be measured from *the ocean*, and the line so to be ascertained is referred to as one "*parallèle aux sinuosités de la côte*."

It has further to be noted that for many miles from the heads of these inlets the water would appear to be fresh.

8. As a general rule of interpretation when, without modifications, mountains are referred to in a Treaty as defining a boundary, the presumption is that the watershed line of the mountains is that intended to be expressed.

In the case under discussion, however, the general watershed line was clearly not that intended, for it was known to the negotiators that rivers rising far to the eastward beyond the Russian *lisière* flowed to the ocean, and, consequently, that the watershed line must lie beyond Russian territory.

Moreover, the base of the mountains next the sea having been proposed, as already mentioned, by Mr. Canning, the tops of the same mountains was the alternative adopted at the suggestion of the Russian authorities.

The British authorities did not assent to a line on mountains indefinitely eastward from the ocean; they did not propose that the second or the third range from the coast should be adopted, if there happened to be so many, and the Russian authorities did not understand the British proposal in any such sense.

If a proposal be known to have been made in a clear and definite sense, and to have been accepted in that sense, the character of the agreement is not affected by the possibility of words, in the formal record of the agreement, being capable of interpretation in a sense other than that known to have been intended.

9. There is some doubt as to whether the land at the mouth of the Stikine River, 56° 35' north latitude, called Mitgov Island, be not a peninsula separated from the mainland by only fresh water, except at high tide.

(Signed)

D. R. CAMERON, *Colonel*.

Colonial Office, April 9, 1886.

No. 48.

The Earl of Rosebery to Mr. Phelps.

Sir,

Foreign Office, April 15, 1886.

WITH reference to your note of the 19th January last on the subject of the Alaska boundary, I have the honour to transmit to you herewith, in accordance with your request, a copy of the British Admiralty Chart No. 2431;* and I beg to state that the other Maps with which you are desirous of being furnished shall be forwarded to you as soon as they are received from the Admiralty and the Canadian Government.

I am, &c.

(Signed)

ROSEBERY.

* In Colonial Office, April 12, 1886.

No. 49.

The Earl of Rosebery to Mr. Phelps.

(Private.)

Dear Mr. Phelps,

Foreign Office, April 15, 1886.

WITH reference to our conversation of the 12th instant about the Alaska boundary, I find that the views of the Canadian Government on the proposal contained in your letter of the 19th January, which inclosed the purport of a despatch from Mr. Bayard, were communicated to the Foreign Office on the 31st ultimo.

Sir L. West has, in consequence, been instructed to inform the Government of the United States that Her Majesty's Government are prepared to take part in a preliminary investigation of the boundary question. This would not commit the two Governments to a Joint Commission such as that suggested in your note of the 19th January.

Meanwhile, we do not propose to move further in the matter until we know what action is taken by the United States' Government in regard to applying to Congress for an appropriation.

Believe me, &c.
(Signed) ROSEBERY.

No. 50.

Sir L. West to the Earl of Rosebery.—(Received April 16.)

(No. 91.)

My Lord,

Washington, April 3, 1886.

WITH reference to your Lordship's telegram No. 7 of this day's date, I have the honour to inclose to your Lordship herewith copy of a note which I have addressed to the Secretary of State, informing him that Her Majesty's Government in principle agree to a preliminary survey of the Alaska boundary, but that such agreement must not be understood necessarily to imply the appointment of a Joint Commission.

I have, &c.
(Signed) L. S. SACKVILLE WEST.

Inclosure in No. 50.

Sir L. West to Mr. Bayard.

Sir,

Washington, April 3, 1886.

WITH reference to the Memorandum which I had the honour to hand to you on the 19th ultimo, expressing the general agreement of the Dominion Government to a preliminary survey of the Alaska boundary, such as was suggested in the President's Message to Congress, I have now the honour to inform you that Her Majesty's Government agree in principle to this preliminary investigation of the boundary, but that such agreement must not be understood necessarily to imply the appointment of a Joint Commission.

I have, &c.
(Signed) L. S. SACKVILLE WEST.

No. 51.

Mr. Phelps to the Earl of Rosebery.—(Received April 17.)

My Lord,

Legation of the United States, London, April 17, 1886.

I HAVE the honour to acknowledge the receipt of a copy of the British Admiralty Chart No. 2431, which your Lordship was good enough to send me in compliance with my request of the 19th January, 1886, and for which I desire to express my thanks.

I have, &c.
(Signed) E. J. PHELPS.

Sir J. Pauncefote to Sir R. Herbert.

Sir,

Foreign Office, April 17, 1886.

WITH reference to Sir Villiers Lister's letter of the 2nd and 3rd instant, I am directed by the Earl of Rosebery to transmit to you, for the information of Earl Granville, a copy of a despatch addressed to Her Majesty's Minister at Washington,* reporting the purport of some observations made by Mr. Phelps on the 12th instant in regard to the proposed inquiry respecting the Alaska boundary.

I am at the same time to inclose a copy of a private letter which Lord Rosebery has addressed to Mr. Phelps,† in reply to his inquiry as to the present position of this question.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

Sir P. Currie to Sir R. Herbert.

Sir,

Foreign Office, April 20, 1886.

I AM directed by the Earl of Rosebery to request that you will inform Lord Granville that, in accordance with the wish expressed in your letter of the 8th instant, Her Majesty's Ambassador at St. Petersburg has been instructed to send home all the documents and maps in the archives of Her Majesty's Embassy connected with the negotiations for the Convention of 1825 between this country and Russia with reference to the Alaska territory.

I am, &c.

(Signed) P. CURRIE.

The Earl of Rosebery to Sir R. Morier.

(No. 98.)

Sir,

Foreign Office, April 21, 1886.

IN the negotiations which are shortly about to take place between this country and the United States, with a view to the settlement of the boundary between the two States in the Alaska territory, it is of importance that certain original documents and maps, which were used during the negotiations precedent to the conclusion of the Convention between this country and Russia of the 15th (28th) February, 1825, should be readily available here. I have, therefore, to request that your Excellency will give directions for the immediate transmission to this Office of all the documents preserved in Her Majesty's Embassy at St. Petersburg relative to these negotiations.

The documents specially required are the following:—

1. A despatch from Mr. Secretary Canning to Mr. Stratford Canning of the 8th December, 1824, and especially the third inclosure, consisting of a copy of a despatch from Count Nesselrode to Count Lieven, accompanied by a Russian "contre-projet" having marginal annotations assigning reasons for the suggested alterations.

2. The despatch from Mr. Secretary Canning to Mr. Stratford Canning, to which the latter replied on the 3rd (15th) April, 1825.

There is reason to believe that a map by Arrowsmith was used by the negotiators, and it is known that Sir Charles Bagot, who first opened the negotiations in 1824, was supplied with a copy of a Russian map based, it is believed, on Vancouver's surveys.

It is important, therefore, that these maps should accompany the transmission, as well as any other Russian or English maps or charts which may have been used by the negotiators, collectively or individually, and which may be preserved in the archives of Her Majesty's Embassy at St. Petersburg.

To enable your Excellency to trace these documents more readily, a copy of a Memorandum upon the subject, drawn up by the Librarian of this Office in 1835, is forwarded herewith.

I must leave your Excellency to determine the best means of forwarding these documents safely and expeditiously to this country. But should you be of opinion that, with a

* No. 47.

† No. 49.

view to speed and convenience, these papers should be extracted from the various volumes in which they are believed to be bound, you have my authority for so dealing with them.

I am, &c.
(Signed) ROSEBERY.

No. 55.

The Earl of Rosebery to Sir L. West.

(No. 97.)

Foreign Office, April 29, 1886.

[Transmits copies of Colonial Office letters of April 12 and 14, 1886 : *ante*, Nos. 44 and 46.]

No. 56.

Sir P. Currie to Sir R. Herbert.

Foreign Office, April 29, 1886.

[Transmits copies of Sir L. West's Nos. 85 and 91 : *ante*, Nos. 42 and 50.]

No. 57.

Sir L. West to the Earl of Rosebery.—(Received May 3.)

(No. 113.)

My Lord,

Washington, April 20, 1886.

I HAVE the honour to transmit to your Lordship herewith copies of an interesting Report of a military reconnaissance in Alaska by Lieutenant Schwatka.

The expedition from Chilkoot Inlet to Fort Selkirk is, I believe, the first successfully accomplished.

Your Lordship will observe that in General Drum's letter to the Secretary of War he designates Fort Selkirk as in Alaska.

I have, &c.
(Signed) L. S. SACKVILLE WEST.

No. 58.

Sir P. Currie to Sir R. Herbert.

Foreign Office, May 6, 1886.

[Transmits copy of Sir L. West's No. 113 of April 20, 1886 : *ante*, No. 57.]

No. 59.

Sir R. Morier to the Earl of Rosebery.—(Received May 10.)

(No. 164.)

My Lord,

St. Petersburg, May 5, 1886.

ON receipt of your Lordship's despatch No. 98 of the 21st ultimo, I caused a careful search to be made throughout the archives of this Embassy for the original documents and maps used during the negotiations precedent to the conclusion of the Convention between Great Britain and Russia of the 16th (28th) February, 1825.

The search for the above has been greatly facilitated by the carefully made catalogues of the archives drawn up by Mr. Adam during his period of service at this Embassy, and I am enabled to account for the fact that no trace has been found of the original papers wanted, by referring your Lordship to a despatch addressed on the 20th November, 1825, by Lord Strangford to Mr. Secretary Canning, stating that not even then did the archives of the Embassy possess the correspondence in question.

On the 20th December, 1825, copies of the papers were furnished to his Lordship by

No. 60*.

Sir P. Currie to Sir R. Herbert.

Sir,

Foreign Office, May 25, 1886.

ON the 19th January last the American Minister at this Court, in a note to Lord Salisbury on the Alaska Boundary question, of which a copy was forwarded to your Department on the 23rd of that month, asked to be supplied with copies of the British and Canadian official Maps mentioned in a "Statement" which he inclosed.

In that "Statement" reference was made to the geological survey of Canada, recently published, on which it was shown that the "boundary followed the central line of the main channel, known as Portland Inlet."

As it was not possible to procure a copy of this Map in London, an order was sent to Canada (through Messrs. Stanford) for two copies, which have just arrived.

In transmitting to you a copy of the Map in question, I am directed by the Earl of Rosebery to request that you will inform Earl Granville that his Lordship is of opinion that it would be advisable before sending a copy to Mr. Phelps, that it should be submitted to Colonel Cameron, for any observations he may have to offer on it, as it appears to differ from other Maps prepared by British geographers; and I am to inquire, at the same time, whether Earl Granville is prepared to admit that the Map in question is an official one.

I am, &c.

(Signed) P. CURRIE.

Mr. Secretary Canning, but these copies, whose receipt was duly acknowledged on the 17th January, 1825, are not now forthcoming.

I have the honour to forward herewith copies of the two despatches above referred to, namely, Lord Strangford's despatch of the 22nd November and Mr. Canning's reply.

I have, &c.
(Signed) R. B. D. MORIER.

Inclosure 1 in No. 59.

Viscount Strangford to Mr. Canning.

Sir,

St. Petersburg, November 10 (22), 1825.

IN my intercourse with my colleagues at this Court, and in one instance in a conversation with Count Nesselrode, I have felt myself under some difficulty and embarrassment when reference has been made to the Special Mission of Mr. Stratford Canning, and to the transactions of that period.

There do not exist any traces either of Mr. Stratford Canning's correspondence with the Foreign Office or of your instructions to him in the archives of this Embassy. I had not the advantage of seeing the former previously to my departure from England, and I confess with regret that my recollection of the precise terms of the latter (with a perusal of which you had the goodness to indulge me) is too imperfect to be relied on.

I have therefore respectfully to request that you would cause me to be furnished with such copies or extracts of those documents as you may think necessary for my guidance in conducting the affairs of this Embassy.

I have, &c.
(Signed) STRANGFORD.

Inclosure 2 in No. 59.

Mr. Canning to Viscount Strangford.

My Lord,

Foreign Office, December 20, 1825.

IN compliance with the request contained in your Excellency's despatch, I transmit herewith copies of the instructions with which Mr. Stratford Canning was furnished, and also copies of his despatches to this Department, during his Special Mission to St. Petersburg at the end of last year.

Your Excellency will have the goodness to place these papers in the archives of His Majesty's Embassy at St. Petersburg.

I have, &c.
(Signed) GEORGE CANNING.

No. 60.

Sir P. Currie to Sir R. Herbert.

Foreign Office, May 15, 1886.

[Transmits copy of Sir R. Morier's No. 164 of May 5, 1886: *ante*, No. 59.]

No. 61.

Mr. Bramston to Sir P. Currie.—(Received May 26.)

Sir,

Downing Street, May 25, 1886.

WITH reference to the letter from this Department of the 12th ultimo relative to the Alaska Boundary question, I am directed by Earl Granville to transmit to you, for the use of the United States' Minister, the accompanying maps which have been received from the Admiralty

I am, &c.
(Signed) JOHN BRAMSTON.

No. 62.

The Earl of Rosebery to Sir L. West.

(No. 118.)

Foreign Office, May 29, 1886.[Transmits copy of Colonial Office letter of April 8, 1886: *ante*, No. 41.]

No. 63.

Sir L. West to the Earl of Rosebery.—(Received May 31.)

(No. 131.)

My Lord,

Washington, May 21, 1886.

WITH reference to my despatch No. 91 of the 3rd ultimo, I have the honour to transmit herewith the following document which I have received from the United States' Government, viz., a message from the President recommending an appropriation of 100,000 dollars for a preliminary survey of the Alaska boundary. Copies of the Report therein alluded to shall be forwarded as soon as published.

I have, &c.

(Signed) L. S. SACKVILLE WEST.

Inclosure in No. 63.

49th Congress, 1st Session.—Ex. Doc. No. 143.

SENATE.

Message from the President of the United States, transmitting a Report of the Secretary of State relative to the Frontier Line between Alaska and British Columbia.

May 17, 1886.—Read and ordered to be printed. The accompanying documents referred to the Committee on Printing.

To the Senate and House of Representatives :

WITH reference to the paragraph in my Annual Message to Congress, in which I called attention to the uncertainty that exists as to the location of the frontier line between Alaska and British Columbia, as defined by the Treaty of Cession with Russia of the 30th March, 1867, I now transmit herewith, for the information and consideration of Congress, a Report of the Secretary of State upon the subject, with accompanying papers.

In view of the importance of the subject, I recommend that provision be made by law for a preliminary survey of the boundary line in question by officers of the United States, in order that the information necessary for the basis of a Treaty between this country and Great Britain for the establishment of a definite boundary line may be obtained; and I also recommend that the sum of 100,000 dollars, or so much thereof as may be necessary, be appropriated for the expenses of making such survey.

(Signed)

GROVER CLEVELAND.

Executive Mansion, Washington, May 17, 1886.

No. 64.

The Earl of Rosebery to Mr. Phelps.

Sir,

Foreign Office, June 2, 1886.

WITH reference to my note of the 15th April last, I have the honour to transmit to you the further maps requested in your note of the 19th January last in connection with the Alaska Boundary question.*

I have, &c.

(Signed) ROSEBERY.

* Inclosed in Colonial Office letter of May 25, 1886.

No. 65.

*Sir P. Currie to Sir R. Herbert.**Foreign Office, June 3, 1886.*

[Transmits copy of Inclosure in Sir L. West's No. 131 of May 21, 1886 : *ante*, Inclosure in No. 63.]

No. 66.

Mr. Bramston to Sir P. Currie.—(Received June 11.)

Sir,

Downing Street, June 10, 1886.

I AM directed by Earl Granville to acknowledge the receipt of your letter of the 25th ultimo, forwarding a Canadian map in connection with the Alaska Boundary question.

I am to request that you will state to the Earl of Rosebery that Lord Granville has not thought it necessary to refer this map to Colonel Cameron, who is understood to be now at Sheerness engaged in drawing up his Report.

The map in question has already been before Colonel Cameron, and a reference to the Secretary of State's despatch to the Governor-General of Canada of the 26th March (a copy of which accompanied the letter from this Department of the 12th April) will show that it was thought advisable that the map should be received from the Dominion Government, with an explanation of the sources of information made use of in compiling it.

Lord Granville learns by telegraph that the map will probably be ready by next mail, and in the meantime, he would suggest that no communication should be made to Mr. Phelps.

The inclosure to your letter is returned herewith.

I am, &c.

(Signed) JOHN BRAMSTON.

No. 67.

Mr. Bramston to Sir P. Currie.—(Received June 29.)

Sir,

Downing Street, June 28, 1886.

WITH reference to your letter of the 3rd instant, forwarding a copy of a Message from the President of the United States with reference to the proposed survey of the Alaska boundary, I am directed by Earl Granville to transmit to you, to be laid before the Earl of Rosebery, a copy of a letter from the High Commissioner for Canada on the subject.

Lord Granville would be glad if Lord Rosebery could supply the papers asked for by Sir Charles Tupper.

I am, &c.

(Signed) JOHN BRAMSTON.

Inclosure in No. 67.

Sir C. Tupper to Sir R. Herbert.

Sir,

· 9, Victoria Chambers, London, June 18, 1886.

I BEG to acknowledge the receipt of your letter of the 11th instant, transmitting, by direction of Earl Granville, a copy of a Message from the President of the United States, recommending an appropriation of 100,000 dollars for a preliminary survey of the Alaska boundary.

I beg to state that if his Lordship is able to cause me to be furnished with a copy of the Report of the Secretary of State upon the subject, with accompanying papers, referred to in the Message, I shall be much obliged.

I am, &c.

(Signed) CHARLES TUPPER.

No. 68.

The Earl of Rosebery to Sir L. West.

(No. 139.)

Sir,

Foreign Office, July 3, 1886.

WITH reference to your despatch No. 131 of the 21st May, inclosing copy of the Message of the President of the United States with reference to the proposed survey of the Alaska boundary, I have to remind you that the copies of the Report therein alluded to have not yet reached this Office. It is desirable that they should be sent as soon as possible.

I am, &c.
(Signed) ROSEBERY.

No. 69.

Sir P. Currie to Mr. Bramston.

Sir,

Foreign Office, July 3, 1886.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 28th ultimo in regard to the Message of the President of the United States with reference to the proposed survey of the Alaska boundary; and I am to state that the Report, with the papers referred to in the Message, for which Sir C. Tupper asks, has not yet been received from Her Majesty's Minister at Washington.

Sir L. West has been directed to send home copies of the Report as soon as possible.

I am, &c.
(Signed) P. CURRIE.

No. 70.

Sir L. West to the Earl of Rosebery.—(Received July 5.)

(No. 152.)

My Lord,

Washington, June 21, 1886.

WITH reference to my despatch No. 113 of the 20th April last, transmitting copies of a Report of a military reconnaissance in Alaska by Lieutenant Schwatka, I have the honour to inform your Lordship that an exploring expedition has been organized by the "New York Times" newspaper which is under the command of that officer assisted by Professor Libbey of Princeton College, who will have charge of the scientific work. The expedition appears to have left Port Townsend (Washington Territory) on the 14th instant, and has for its object the exploration of the St. Elias Alps.

I inclose herewith copies of the notice which has appeared in the "New York Times," and which contains an Article written by Lieutenant Schwatka himself.

I have, &c.
(Signed) L. S. SACKVILLE WEST.

Inclosure in No. 70.

Extract from the "New York Times" of June 21, 1886.

THE SECRETS OF ALASKA.—The "New York Times" Alaskan exploring expedition which sailed on the Alaskan steamer "Ancon" from Port Townsend, Washington territory, the 14th June, has for its object the exploration of the almost wholly unknown St. Elias Alps, stretching for nearly 300 miles from the upper part of that pictureque gulf of water called "the inland passage to Alaska" to Mount St. Elias, the highest peak of the North American Continent, and which throws its name over the whole range, and even beyond. The expedition, therefore, will have to do with mountain climbing, and should opportunity present, which is very likely, attempts will be made to ascend in whole or in part some of the numerous peaks that project from that high range; although, strictly speaking, this is not its main object, still it would be considered no small victory to crown the King of the American continent, Mount St. Elias, with shoe leather of American make:

and but a little way behind this to reach the summits of any of the others—Crillon, Fairweather, La Perouse, Vancouver, Lituya, d'Agelet—all higher than any peak short of the Rocky Mountain range. Should the top of the main range be gained, at 8,000 to 10,000 feet above sea-level, it is hoped—and the probabilities are great—that a bird's-eye view in the interior will compensate for all the trouble taken, and especially if this be done at several points along the main ridge. Bad weather, of course, could defeat much of this part of the plan, but during the summer months this is not very likely. The interior slopes may be descended if the prospect is at all flattering for important research and discovery of any kind: for towards the interior absolutely nothing is known of the country whatever. It (the interior) is on British soil as far west as the 141st meridian, and United States' territory on the seaward slopes of the great range, where it is likely the explorations will be confined. Professor William Libbey, Junior, Professor of Physical Geography in Princeton College, will have charge of the scientific work, and especially the hypsometrical and topographical part of it. He has been identified with considerable practical Alpine work in the past, both in our own and other countries. The well-known hypsometrical and other scientific Tables compiled by the late celebrated Professor Guyot (to whose chair at Princeton Professor Libbey succeeded on the former's death), and published by the Smithsonian Institution at Washington, were recently revised under Professor Libbey's care, and brought up to the requirements of scientific advancement in that line since Professor Guyot's death. Many of the hypsometrical and other scientific instruments taken were once those of that celebrated geographer.

Of the Commander of the expedition, Frederick Schwatka, it is sufficient to say that he writes this article.

This is the personnel of the small expedition as it now stands. Once in Alaskan territory, the party will be increased by an Indian interpreter, two or three more white men, a half-dozen to a dozen Indians, with a war-canoe for getting around in the by-ways and highways, for it must be remembered that the highways of Alaska are all channels of water, the minute one steps ashore he being generally confronted by high precipitous hills and mountains, or at least that part of Alaska the expedition will visit. The exact number of Indians the party will need is not known till the ground is reached. At present it is contemplated to take Chilkat Indians, who are known to be good Alpine workers, carrying loads of 100 to 150 lbs. of trading material on their backs across the glacier-clad and snow-bound passes of the Alaskan coast range of mountains of their country, in order to trade with the interior Indians of British America for furs of animals with which that region abounds. These furs were again put into rolls and bundles and carried back over the same perilous paths, and sold to the white traders, the Chilkats monopolizing this profitable commerce of the interior by preventing the white men from entering to trade, and the interior Indians from coming out for the same purpose. Years of this have made them good Alpine climbers, although there may be found as good help in this line among the Indians lying along the seaward feet of the St. Elias Alps.

Of the Indians living here but very little is known, and this very fact is somewhat in favour of the expedition, as among these little-known savages there is every reason to suppose that a rich ethnological collection can be made, which will not only shed some light on the people themselves, but adjoining tribes that are somewhat spoiled for ethnological purposes by long contact with white men and civilization. They are known to be of the great family or nation of T'linkits, certain tribes of which are known about as well as the Sioux and Pawnees of the western United States. Among these are the Chilkats, the Chilkoots, the Takoos, the Stickeens, the Hoonyahs, the Kakes, the Awks, the Sitkas, the Kootznahoes, the Tongass, and probably half-a-dozen others. They have been known for decades, and worked upon with more or less success by successive students, till it is only in minute matters that anything new can be learned. It is known that the T'linkits—the above being sub-divisions—wore skin clothes in the far past, when the whites first came among them, and when they were but carelessly studied, and yet so long has civilization been among them that not one living T'linkit of the present has probably worn such clothing from necessity as of yore. With the Indians to be visited by the "Times" expedition it is thought that the T'linkits of many years ago may be encountered, and while it can hardly be hoped to see them as they were before white men came to their country, they will certainly be found in a far less advanced state than the other well-known tribes of the T'linkits, and correspondingly more interesting. Even their tribal name is almost unknown, and I have seen it mentioned in but one place that I can recall. Mr. C. E. S. Wood and Mr. Taylor attempted the ascent of Mount St. Elias about 1873 or 1874, and the former, in an able article in the "Century Magazine," gives an interesting account of his trip, speaking of the Indians encountered as the Asóngués. Whether there are other tribes yet unknown or not remains to be proved. The Asóngués

were found just north of Cape Spencer, the northern boundary cape of the Pacific entrance to Cross Sound. When I was among the Chilkat Tlinkits, in 1863, they spoke to me of a tribe (as I understood them) on Yakutat Bay called the Yakutats. This may give another sub-division of the Tlinkits. Whatever the Indians may be in this district, on the seaward slopes of the St. Elias Alps, they will undoubtedly prove interesting in the extreme. Mr. Wood's attempt to ascend Mount St. Elias is the only one of which I know. He started in a war-canoe from Sitka, and after a few days' travel his party was off Mounts Fairweather and Crillon, in the southern part of the Mount St. Elias Alps, and here his Indian helpers, for some of those unexplainable reasons so common in using that kind of service, dropped anchor and positively refused to proceed further. Mr. Wood and Mr. Taylor were bent on tramping down some of the snow on St. Elias, but the Tlinkit assistants (?) pointed to Mount Fairweather and informed the white men that one mountain was as good as another to climb, if a person was foolish enough to get beyond the limit where game was to be found. Under such circumstances, Mr. Wood's attempt was fruitless in the main object, though very interesting in many other ways. Mount St. Elias, therefore, as far as we know, has never had a white man's foot on even its lower slopes. It is, of course, always to be expected, should any attempt to ascend it prove successful, that old Chinese records will prove that Hi Lo Jak, or Wo Haw Gee, in the reign of the Emperor Meen fun, 2222 B.C., ascended Mount St. Elias to the very top, and returned to China next year in his junk.

The glacier system of the Mount St. Elias Alps is undoubtedly the most extensive south of the Arctic regions themselves. Just how extended it is cannot be told until further exploration gives more data. It will probably be many years before it is well outlined, as no one exploration could encompass the whole of it. One bay alone has some six or seven glaciers coming down from the southern spurs of these Alaskan Alps just off the summits of Mounts Fairweather and Crillon, which, dipping into the sea, snap off into icebergs that float away nearly as high as the masts of the excursion steamers that visit this bay—called Glacier Bay—monthly during the spring and summer. From Glacier Bay northward to beyond Icy Bay (just seaward from Mount St. Elias) there can be seen these huge rivers of solid ice coming down to the sea; one, Le Grand Plateau, so named by La Perouse, its discoverer, being probably the largest one of the immense group covering so wide a territory. It is quite evident if the expedition accomplishes anything, that no small share of it will be in this particular field of research.

Between the St. Elias Alps and the sea—the Pacific Ocean—is a narrow strip of flat lands where the Indians live, and which, from the ocean, seems to be heavily wooded. It is proposed to find out the status of this timber, and that on the foothills of the Alps, as far as it is possible without spending too much time upon it. If fine forests of merchantable timber are found, and which is not at all unlikely, it is known that there are good harbours here which will make it quite accessible, and give value to the discovery. If anything near as valuable as the present yellow cedar forests of the shores of the inland passage of Alaska can be found, the expedition will be a double success from this very fact.

In the way of precious minerals there is the usual prospect of seeing them, and while the search for them is probably the last on the list of undertakings, if at all, the party will not go by any mountains of gold or silver without at least taking a photograph of them. Miners will be taken in the party after Alaska is reached, more for the reason of their well-known familiarity with woodcraft and frontier travelling, than for any use that may be expected of them in "prospecting." I had a miner on my first Alaskan exploration, and I was quite gratuitously mentioned by a few sore-heads as conducting a "prospecting party," one of them even getting a chance to fling a little mud taken from his brain in a leading scientific publication. If I can make known any of the resources of that poorly understood territory, I shall be only too glad to have that to my credit, and only hold them subordinate for the pure and simple reason that they are not the object of the expedition.

It is hardly to be hoped that the country is much richer in furs than the general average of the Alaska mainland, but should it fortunately prove otherwise the public shall know of it in due time.

Agriculturally there is little to be expected in such a rough Alpine country, but if the low flats known to exist along the coast are not too marshy and have fertile soil, there is nothing to prevent their being cultivated to the fullest extent; in which case it would be doubly valuable by there being no other agricultural lands near by. The climate of all Alaska facing the sea is very temperate, far more so than equal latitudes on the eastern or Atlantic shore, owing to the warm Japanese current throwing heat upon this shore, and having the same or similar effect to the well-known action of the Atlantic Gulf Stream,

which makes Europe so much milder in climate than the same latitude on our side of the Atlantic Ocean. All that is needed, therefore, for a good agricultural district in any part of the seaward face of Alaska is a fertile and partially level soil. The last requirement is unfortunately seldom to be had on that part of the Alaskan coast facing the Pacific Ocean, the Alaska coast range of mountains shoving their bold faces into the very sea on nearly its whole stretch. In fact, where they dip so low into the Pacific that the waters of that sea fill their valleys, we have an interminable network of waterways, flanked by high mountains, forming the picturesque inland passage to Alaska, showing some of the grandest and most imposing scenery of the world. Between the Chilkat and Chilkoot Inlets, in the very northernmost part of this inland passage, lies the Seduction Peninsula, said to be the only piece of level ground of any considerable extent in South-eastern Alaska. It seems to have a fertile soil, and if this much-neglected Territory ever gets any form or semblance of law by which rights to the domain can be acquired, it will be rapidly taken up. It is this sparsity of good land that would make the flats lying like a glacis off the St. Elias Alps so valuable. The meagre reports of that part, however, seem to indicate that they are marshy and unfit for agricultural purposes. It is probable that where the foot-hills of the Alps fade into these flats the land may be found much better.

Then, to resume, the main object of the expedition is general geographical research in the St. Elias Alps, coupled with a strong determination to try and make the ascent of some of the peaks of that great range, Mount St. Elias preferred, and to collect all scientific information that is possible in making these efforts, while if any industry, fur, fishery, mineral, or otherwise, can be found that seems likely to pay in this region it will be placed before the public through the "New York Times." In short, it is an exploring expedition in the widest sense, in the particular field selected, and, like entering any unknown field, sometimes the most unexpected and valuable information is acquired.

The route to be taken across the United States is, of course, immaterial and uninteresting to my readers. The Puget Sound country being reached, land travelling ceases for a while, and we become sailors for a week to ten days. From Port Townsend, the American port of entry to Puget Sound, a most picturesque sheet of water, to Alaska the travel is by ocean steamer, but by a most peculiar phase of it to those used to its more common aspects. It is not merely a trip out of port, then days on the limitless ocean, where a squawking gull or a transient sail forms all the food for conversation of things that are to be seen, but for over 1,000 miles the trip is the same as if on a river varying from a few hundred yards to a few miles in width. This is "the inland passage to Alaska," of which I have already spoken quite often, and is simply a congeries of narrow ocean channels set back in the land so far that their waters are always quiet however great a gale may be raging on the broad Pacific Ocean outside. During the summer months it may be said that the Pacific well deserves its name, and a trip even on "the outside passage" is not likely to prove very squally. The main object in taking the inside passage is the beautiful Alpine scenery encountered the whole length of the main channel taken over 1,000 miles, with, of course, a strong subordinate object of preventing sea-sickness to the tourist passengers, making this one of the pleasantest jaunts that can be taken. In fact, the "Times" Alaskan expedition will be a jolly lot of tourists almost till the tug of war begins with the St. Elias Alps themselves. Through the inland passage of Washington Territory, British Columbia, and Alaska, visiting Victoria *en route*, then coming to the little shipping ports of Alaska Territory, Wrangell, Killisnoo, Juneau, Chilkat, and Sitka, the expedition probably disembarking at one of the latter two ports.

Then the personnel will have to be increased by two or three frontiersmen, trappers or miners being the only two classes available in Alaska, the gay and festive cowboy being unknown there from sheer lack of his peculiar occupation. A Tlinkit Indian interpreter and three or four Chilkat or Sitka Tlinkit Indians will also be added, and the personnel will be about completed, except the few Indians that may be hired from time to time in their own country around the mountains to be explored.

Then comes the struggle up the coast facing the St. Elias Alps after emerging from Cross Sound into the Pacific, which sound is the northern limiting channel of the inland passage, as it connects with the outside. There are several methods presented of overcoming this part till Yakutat or Icy Bay, near the base of Mount St. Elias, is gained, and probably any of them will be successful. Beyond this it is very hard to make any, or at least many, definite plans, as they will probably vary with the unknown obstacles to be overcome. I think it is a questionable way of acting to have a too complex and rigid series of instructions to guide the action of an exploring party, which, above all others, should have the widest limit of individual action. I think it has proved even fatal to many distant expeditions in the past, and especially is this the case where these complex

instructions have originated with those unfamiliar with true exploration, and carried out by those with a high sense of duty bordering on a too rigid observance of technicalities as deserving of close attention. There is oftentimes, however, a great proximity between the enforcement of a bad idea and the equally injudicious extreme on the other end, and this should not be forgotten in an art where there are few rules indeed to guide a person, except those he may have formulated from his own experience. Whatever may be the true status of this abstruse subject, the "Times" Alaskan expedition has more rations and ammunition than it has orders.

In the way of food the common field rations of miners, trappers, and frontiersmen generally will be provided, supplemented by the game of the country, either fish or animal, if there be any, and it can be killed or purchased from the Indians among whom we move.

In the way of arms and ammunition the party is, or will be, armed throughout with Winchester repeating rifles, a kind with which I am familiar through my Arctic and Alaskan expeditions, discarding the Government arm as far as I could for it on the latter trip. It will be a well-enough armed party should it at any time pivot on these necessities, as was so much the case on my Arctic trip. A couple of shotguns and a revolver apiece, for their peculiar use, should it occur, complete the complement of arms.

Common rough but serviceable clothing, supplemented by a few Esquimaux sack coats of reindeer skin for high Alpine work, has been provided.

When the expedition returns will depend largely upon its measure of success, and when that success has been attained, for I shall try and hang on to some of our plans till the party has attained something worth showing for the time and money expended, for certainly the field is rich enough to expect such an end. As near as can be said now, September will probably see us back in the inland passage and connected with the telegraph and daily mails a month later. I can only hope that the largest amount of my correspondence to the "Times" will be needed at that end of the undertaking explaining what the party has accomplished rather than what it expects to accomplish. One thing is sure: If we can gain the backbone ridge of the St. Elias Alps we will have the coolest summer of any American citizens in America, which, when I think of the oppressive summer I spent last year in New York and adjacent summer resorts, makes me feel sure of a selfish victory at least.

One may think that I write rather warmly now of the prospects, but this may be my last chance to do so, both the surrounding atmosphere and the prospects making it hard to use a fervent strain.

But leaving light matters aside, we can only hope that if we fail, as often happens to explorers in their duty, the successful explorer who comes after, and does what we have failed to do, may need more improved appliances than those of the present day at our disposal.

(Signed) FREDERICK SCHWATKA.

No. 71.

Sir P. Currie to Sir R. Herbert.

Foreign Office, July 24, 1886.

[Transmits copy of Sir L. West's No. 152: *ante*, No. 70.]

No. 72.

Mr. Bramston to Sir P. Currie.—(Received July 25.)

(Confidential.)

Sir,

Downing Street, July 27, 1886.

WITH reference to the letter from this Department of the 10th June, respecting the desire of the United States' Government to be furnished with a copy of a Canadian Geological Survey Map in connection with the Alaska Boundary question, I am directed by Earl Granville to transmit to you, to be laid before the Earl of Rosebery, a copy of a despatch from the Governor-General of Canada, together with two copies of the Map referred to.

I am also to inclose a copy of a Memorandum by Colonel Cameron, to whom the Governor-General's despatch was referred in the first instance.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 72.

The Marquis of Lansdowne to Earl Granville.

(Secret.)

My Lord,

Citadel, Quebec, June 9, 1886.

WITH reference to your despatch marked Secret of the 26th March last, stating that the American Minister in London was desirous of being furnished with a copy of the Charts "of the Geological Survey of Canada recently published," I have the honour to forward herewith an approved Minute of my Privy Council in relation to the Maps in question.

2. These Charts have also been forwarded to your Lordship by this mail.

I have, &c.
(Signed) LANSDOWNE.

Inclosure 2 in No. 72.

Report of a Committee of the Honourable the Privy Council for Canada, approved by his Excellency the Governor-General in Council on the 5th June, 1886.

THE Committee of the Privy Council have had under consideration a despatch, dated the 26th March, 1886, from the Right Honourable the Secretary of State for the Colonies relative to the Alaska Boundary question, and asking for a further supply of copies of the Map of the Dominion of Canada, geologically coloured, from surveys made by the Geological Corps, 1842-1882, for the use of the American Minister, the Colonial Office, and the Foreign Office, and suggesting that the Canadian Government should cause those Maps to be marked on their face, before being forwarded, with a statement showing the source from which the position of the boundary-line between British Columbia and Alaska was taken, or otherwise indicating the degree of authority which is to be attached to the Map in question on this point.

The Minister of the Interior, to whom the despatch was referred, states that the groundwork of the Map, on which the Geological Corps coloured the result of the surveys made by them from 1842 to 1882, was prepared by the Department of Railways and Canals from a Map of British Columbia, published under the direction of the Honourable Joseph Trutch, Chief Commissioner of Lands and Mines and Surveyor-General of British Columbia in 1871; but no steps have yet been taken by the Canadian Government to verify what degree of accuracy may be attached to the boundary thus laid down.

The Minister has caused this information to be marked upon the copies of the Maps intended for transmission to the Colonial Office.

The Committee respectfully recommend that your Excellency be moved to forward a despatch to Earl Granville distinctly disavowing the recognition of the correctness of the line shown on the edition of the Map in question, forwarded herewith, as the boundary-line between the Province of British Columbia and Alaska.

All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. McGEE,
Clerk, Privy Council, Canada.

Inclosure 3 in No. 72.

Memorandum.

WITH reference to the note by the Minister of the Interior of the Dominion of Canada, and the accompanying Report by the Privy Council of the Dominion on Canadian Geological Maps—

It is submitted that the letter covering the Maps to be sent to the United States' Minister should clearly intimate that the Alaskan boundary-line shown on them is merely

an indication of the occurrence of such a dividing-line somewhere in that region, it being, of course, clearly understood that no weight could attach to the Map location of the line now noticed, inasmuch as the Convention of 1825 with Russia, which defines the line, makes its location dependent on alternative circumstances, the occurrence or the non-occurrence of mountains; and, as is well known to all concerned, the country has never been surveyed.

On the face of the Maps should be recorded a note referring to the date of the covering letter.

The marking of the line on the Maps might suggest to the United States' authorities that it had been tacitly admitted by Her Majesty's Government to be a correct expression of their view of the location of the line. But this erroneous impression cannot occur if guarded against by a covering letter.

So far from the United States giving weight to arguments founded on tacit consent, when these have been opposed to their interests, they have emphatically asserted their right to have boundaries corrected in accordance with Treaty description years after the boundaries had been marked and recognized by officials of both countries.

The St. Clair Flats Canal and the parallel of 49° north latitude, south of Manitoba on the Red River, are both examples of this.

In the case of Pembina, on the Red River, the boundary marked by a British official was for many years recognized by the United States' Customs authorities there, and afterwards called in question as not being in conformity with the Treaty.

Mr. Trutch, the gentleman under whom the Map now discussed was compiled, was not "qua" the definition of an international boundary in any sense an official.

(Signed) D. R. CAMERON, *Colonel*.

July 14, 1886.

No. 73.

Mr. Hardinge to the Earl of Rosebery.—(Received August 2.)

(No. 175.)

My Lord,

Washington, July 19, 1886.

WITH reference to your Lordship's despatch to Sir L. West, No. 139, of the 3rd instant, in which your Lordship states that it is desirable that copies of the Report mentioned in the Message of the President of the United States with reference to the proposed survey of the Alaska boundary should be sent to the Foreign Office as soon as possible, I have the honour to transmit herewith copy of a note which I have received from the Secretary of State in reply to an application made by me for copies of the Report in question, in which he states that these papers have not yet been printed, but that in the event of it being decided to print them, copies will be supplied without delay to Her Majesty's Legation.

I have, &c.

(Signed) CHARLES HARDINGE.

Inclosure in No. 73.

Mr. Bayard to Mr. Hardinge.

Sir,

Department of State, Washington, July 17, 1886.

WITH reference to your note of the 13th instant, requesting copies of a Report which accompanied the President's Message of the 17th May last to Congress concerning the Alaska Boundary question, I have the honour to inform you that the printing of the papers in question has been delayed. A copy of your note has been sent to the Senate Committee on Printing, and should it be decided to print the papers, copies will be promptly sent to your Legation.

I have, &c.

(Signed) T. F. BAYARD.

No. 74.

Sir P. Currie to Sir R. Herbert.

Sir, *Foreign Office, August 4, 1886.*
 I AM directed by the Earl of Iddesleigh to acknowledge the receipt of your letter of the 27th ultimo, inclosing two copies of the Map of the Dominion of Canada, geologically coloured from surveys made by the Geological Corps, 1842-82, which were applied for by the American Minister.

Before a copy of the Map is communicated to Mr. Phelps I am to suggest that a note should be made on the face of both Maps (which are now returned for that purpose) recording that they are the Maps which were forwarded with your letter of the 27th July.

On this being done they will be marked as being forwarded to Mr. Phelps with a letter from this Department on a given date.

A draft of a letter to Mr. Phelps on the subject is inclosed herewith; and I am to request that in laying it before Her Majesty's Secretary of State for the Colonies, you will move him to inform Lord Iddesleigh whether he concurs in its terms.

I am, &c.
 (Signed) P. CURRIE.

No. 75.

*Sir P. Currie to Sir R. Herbert.**Foreign Office, August 21, 1886.*

[Transmits copy of Mr. Hardinge's No. 175 of July 19, 1886 : *ante*, No. 73.]

No. 76.

Mr. Meade to Sir P. Currie.—(Received August 25.)

Sir, *Downing Street, August 24, 1886.*
 IN reply to your letter of the 4th instant, I am directed by the Secretary of State for the Colonies to acquaint you, for the information of the Earl of Iddesleigh, that he concurs in the terms of the draft inclosed therein of a letter to Mr. Phelps respecting the Alaska Boundary question, but would suggest the addition of the word "topographically" before the word "surveyed" at the end of the second paragraph, in accordance with a suggestion made by Colonel Cameron in a letter of which a copy is inclosed.

The Maps forwarded in your letter are returned herewith, indorsed as requested.

I am, &c.
 (Signed) R. H. MEADE.

Inclosure in No. 76.

Colonel Cameron to Mr. Pennell.

Dear Sir, *Sheerness, August 12, 1886.*
 REPLYING to your note of yesterday's date, covering a copy of remarks proposed to be made by the Foreign Office to the United States' Minister when complying with his Excellency's request to be furnished with copies of the Map of the Dominion of Canada geologically coloured, from surveys made by the Geological Corps, 1842-82, in connection with the British Alaskan Boundary question, I think the proposed remarks, including the disavowal of the correctness of the boundary line shown on the Maps, are all that are needed. But as the word "survey" occurs in the first paragraph of the draft letter to Mr. Phelps, and in the second paragraph as well, but in different senses, I would suggest that the word "topographically" be interpolated before "surveyed" at the end of the second paragraph.

There has been no topographical survey of the neighbourhood of Alaska, but a Map issued by the Government of British Colombia (in 1871 ?) was adopted by the Geological Department. The topographical details on that Map were not derived from any reliable

survey of the Alaskan region, and are but little removed from being purely imaginary.

The geological survey may be, and probably is, more trustworthy, since tolerably accurate inferences as to geological formations may be drawn from widely separated local indications. But even the geological representations of the Map are not to be accepted unquestioned.

Dr. Selwyn, the Director of the Geological Department of Canada, has informed me that the country near Alaska has barely been visited, much less has it been examined by any one competent to report upon it geologically.

I am, &c.
(Signed) D. R. CAMERON.

No. 77.

The Earl of Iddesleigh to Mr. Phelps.

Sir,

Foreign Office, August 27, 1886.

IN the note which you addressed to the Marquis of Salisbury on the 19th January last, you requested that you might be furnished with a copy of the Map of the Dominion of Canada, geologically coloured, from surveys made by the Geological Corps, 1842-82, alluded to in Mr. Bayard's statement of the 20th November, 1885, with reference to the question of the Alaska frontier.

In forwarding to you a copy of the Map in question, I have the honour to invite your attention to the fact, that the Alaska boundary line shown therein is merely an indication of the occurrence of such a dividing line somewhere in that region. It will, of course, be clearly understood that no weight could attach to the Map location of the line now denoted, inasmuch as the Convention between Great Britain and Russia of the 28th February, 1825, which defines the line, making its location dependent on alternative circumstances, the occurrence, or the non-occurrence, of mountains, and, as is well known to all concerned, the country has never been topographically surveyed.

Her Majesty's Government therefore feel that they are bound distinctly to disavow the recognition of the correctness of the line shown on the edition of the Map in question, forwarded herewith as the boundary line between the Province of British Colombia and Alaska.

I am, &c.
(Signed) IDDESLEIGH.

No. 78.

Mr. Phelps to the Earl of Iddesleigh.—(Received August 31.)

My Lord,

Legation of the United States, London, August 30, 1886.

I HAVE the honour to acknowledge the receipt of your note of the 27th instant, and to express my thanks to your Lordship for the two Maps, geologically coloured, of the Dominion of Canada therein contained.

I have, &c.
(Signed) E. J. PHELPS.

No. 79.

*Sir P. Currie to Sir R. Herbert.**

Foreign Office, August 31, 1886.

[Transmits copy of Mr. F. St. John's No. 61 of July 22, 1886.]

* Also to Home Office.

No. 80.

Sir L. West to the Earl of Iddesleigh.—(Received October .)

(No. 237.)

Washington, October 22, 1886.

[Transmits copy of President's Message with Report on Alaska Boundary Question.]

No. 81.

Sir P. Currie to Mr. Bramston.

Foreign Office, November 6, 1886.

[Transmits copy of Inclosure in Sir L. West's No. 237 of October 22, 1886.]

No. 82.

Sir P. Currie to Mr. Bramston.

(Confidential.)

Foreign Office, November 20, 1886.

[Transmits Alaska Boundary Confidential Print, Nos. 1 to 79, 1886.]

No. 83.

Sir R. Herbert to Sir P. Currie.—(Received December 2.)

(Confidential.)

Sir,

Downing Street, December 1, 1886.

WITH reference to your letter of the 20th ultimo, and to previous correspondence respecting the British Alaskan Boundary question, I am directed by the Secretary of State for the Colonies to transmit to you, for the consideration of the Earl of Iddesleigh, copies of two Reports from Colonel D. R. Cameron, C.M.G., on the subject.

Mr. Stanhope would be glad to be favoured with an expression of Lord Iddesleigh's opinion with regard to the suggestion made in the second Report.

I am, &c.

(Signed) ROBERT G. W. HERBERT.

Inclosure in No. 83.

Colonel Cameron to Sir R. Herbert.

Sir,

London, October 29, 1886.

IN the Report ("North America No. 119 of 1886") on the location of the British Alaskan boundary, which I had recently the honour of being permitted to prepare, the subject was considered purely as one of Treaty interpretation; and it was pointed out that the passage from the ocean, by Tongas Island, through Pearse's Channel, is part of the Portland Channel, of which the medial line is—in accordance with the Anglo-Russian Convention of 1825—a portion of the international boundary.

The United States' Government, however, assume that the passage from the ocean through the Observatory Inlet entrance is the line indicated by the Treaty, and Mr. Secretary Bayard records his opinion that this can never be called in question. (See Report, p. 76, 5th paragraph.)

In the discussions which are likely to occur—as to this and other parts of the line—between Her Majesty's Government and the Government of the United States, it is not impossible that a resort to the principle of reciprocal concession may suggest itself as a means of arriving at a settlement.

It is consequently of the greatest national importance—I would humbly submit—that a just estimate should be formed of the value to be set on the sole possession by the British of the ocean entrance to Observatory Inlet.

This entrance has, since 1853 only, been more or less generally known as Portland Inlet.

Knowledge of the topographical features, and of the geological and general commercial values of inland British territory touched by Portland Channel and by Observatory Inlet is not at the present time sufficiently detailed and precise to enable one to arrive at an absolutely definite opinion with regard to them; but the mere geographical relation of those inlets to a British area of vast extent, as the nearest deep water communication with the ocean, suffices to demonstrate the possible extreme importance to Canadian and to Imperial interests of the decision to be arrived at.

Strongly impressed with this view—while fully sensible of want of qualifications to justify my intruding my opinions, as deserving of weight—I venture respectfully to note the following remarks for consideration.

Assuming, as may justifiably be done in the present advanced state of engineering, that routes of communication can be opened up between the interior and Portland Inlet, there are the strongest motives for maintaining sole British control over Portland Inlet.

From the head of this arm of the sea British territory stretches northward for about 1,000 miles—without access to the Pacific. The inlet is, indeed, the nearest ocean communication for a vast British area of about 480,000 square miles. The area of France is 204,000 square miles.

From the ocean through Portland Inlet to the head waters of Portland Channel and of Observatory Inlet there are channels 70 miles long, varying in breadth from 1 to 3 miles, and nearly uniformly over 40 fathoms in depth, protected on all sides by mountains, and having deep water at the shore lines. Its capacity for shipping is consequently of enormous extent. The Dardanelles are 40 miles long and from $\frac{3}{4}$ to 4 miles broad.

The present ocean terminus of the Canadian Pacific Railway is about 390 miles to the south of Portland Inlet.

I believe that the inlet is nearer to Japan and China than the present railway terminus, and that at no very distant date one may reasonably expect this remarkable waterway to become the channel of a very large volume of trade. But, if only a small portion of the traffic which imagination may not unreasonably picture as passing through the inlet should be developed in the future, there would still be abundant ground for regarding sole control over it as of extreme importance.

Reasoning from experience gained elsewhere of rival interests on common waterways, joint property in Portland Inlet would be a fruitful source of international dispute.

So soon too, as communication between the interior and the inlet is opened up, sole possession of it becomes of very great strategic importance. It would then afford a second line of communication for Canada and for the Empire remote from attack.

The United States can control the passage way from the Pacific Railway terminus by the south of Vancouver's Island; the alternative route by the north of Vancouver's Island is circuitous and intricate. The position of Portland Inlet is not exposed to either of these objections, if it be held as solely British territory.

Both shores of Portland Inlet being in the possession of one Power, its defence would be easy, for the natural features of the contiguous land require but slight fortification to render the position well nigh impregnable against any combination of enemies.

On the other hand, the possession by an enemy of the islands between Pearse's Channel and Portland Inlet would make the position useless if not quite untenable. And even in the hands of a neutral Power, the possession of those islands would be so obstructive, and furnish such easy means of observation to an enemy, that the position, if not absolutely insecure, would, at least, be very much less useful during war time.

Any settlement of the boundary question on the principle of reciprocal concession would probably take the form of a modification of the boundary as defined by the Convention of 1825, and resolve itself into a consideration of the relative importance, commercially and strategically, of the proposed respective concessions.

In the foregoing remarks attention has been directed to some of the most striking disadvantages to British interests involved in their exclusion from the Pacific coast-line. In contrast with these may be considered the motives which would probably influence the United States in dealing with the matter. These motives are most likely to be included under one or more of the following heads:—

A natural desire to obtain all the positive advantages which can be secured.

Objection to the concession of any point that may be disadvantageous.

Disinclination to withdraw from any pretension already formally advanced.

The positive advantages and the disadvantages are either commercial, administrative, or strategical.

Of the commercial aspects it may be confidently assumed that no concession to be sought for by the British would be of a character to injure United States' interests.

Of Alaska generally, it may be said that its fisheries—principally its seal fisheries—alone make any return to the United States. These fisheries, it is believed, are of much importance only in the neighbourhood of the Aleutian Isles. At all events it is indubitable that the peopling of the continental coast would rapidly put an end to any seal fishery there may now be there; for the seal, a very timid animal, brings forth its young ashore, and remains with them on land for some time. To a peopled coast, then, the seal cannot continue to resort. Revenue returns from seal fisheries and from general commerce are, therefore, possible only alternatively from the same region.

In order to avoid disputes with the Russian American Company, the Hudson's Bay Company—for many years, commencing in 1839—acquired sole control of the coast strip, now United States' territory, from Pearse's Channel to the meridian of 141° west longitude, by an annual payment of 1,500*l.*, at first liquidated by 2,000 otter skins.

This was the price paid, with the approval of the Russian Government, to a Company, who thoroughly understood the fur-bearing value of the region at a time when the retreats of the animals sought after were undisturbed by immigration—a Company, moreover, who had stopped the Hudson Bay traders from access to the coast. During part of the time the Hudson's Bay Company leased the coast strip, Russia was actually at war with England, and it is generally understood that at a prior period furs travelled eastward across the continent to England, and were thence reshipped for the China market.

With the rival Company so favourably situated, the Hudson's Bay Company could not there have negotiated on equal terms. Thus 1,500*l.* a-year—a payment which when capitalized at 3 per cent. is represented by a sum of only 50,000*l.*—was deemed the equivalent, not only for the fur productiveness of the coast strip, but of the serious damage to be sustained by the Hudson's Bay Company if they declined to agree to the terms.

But if the coast strip be of little value to the United States as a fur-bearing country, it promises little else, for it is of extremely limited breadth, and is walled in by mountains of which the valleys in the northern part are blocked by permanent glaciers.

Timber, which is plentiful throughout, is too remote from places of consumption to be of important value. Much nearer to United States' markets to the south of 40° north latitude, unlimited supplies are available of timber in greater variety and better in quality than occur on the continental coast north of Pearse's Channel.

The Administration of the United States cannot well be beneficially affected by having to legislate and provide for a remote region of questionable value.

Nor is there apparent any single strategical advantage to be derived by the United States in connection with territorial supremacy over the coast strip. It cannot serve the United States strategically—it could not be so used against them were it in other hands.

Under these circumstances, it is not probable that any practicable modification of the inland boundary could be regarded by the United States as really offering positive advantage to them.

On the other hand, amongst the proposals that might be made on the British side, is the cession by the United States of this coast strip.

Even if no reciprocal concession were made, Canadian and Imperial interests would not be much benefited directly by the arrangement. The United States would not be great losers. But in one respect both Powers would derive advantage, for the result would be a natural boundary of the clearest and most useful kind as regards Governmental administration.

It is, therefore, open to consider the financial aspect of such an arrangement as might assign the coast-line boundary to the British territory.

The United States' estimate of 1873 for marking the British-Alaskan boundary throughout proposed an expenditure of 1,531,689 dollars (about 306,000*l.*). This is understood to be exclusive of a large amount on account of wages, transport, &c., which would, in accordance with previous practice, be debited to United States' Departments—chiefly that of military administration.

My estimate for the work to be done on the British side is 300,000*l.*

Thus the total expenditure would most probably not be less than 600,000*l.*

Of this sum, 100,000*l.* might suffice for the demarcation of that portion of the line which is determined by the meridian of 141° west longitude.

Consequently, so far as the British side is concerned, an expenditure of 250,000*l.* on

the line from Portland Channel to the neighbourhood of Mount St. Elias may be regarded as inevitable.

But, on the United States' side, the corresponding expenditure is not inevitable, since, by ceding the coast strip, it might avoid the necessity for the outlay.

If, then, the United States should be prepared to consider the question of the cession of the coast strip, the peculiar circumstances of the case are such that mutually advantageous terms might possibly be arrived at.

The United States paid for the whole of the vast territory ceded to them by Russia about 1,500,000*l.* The cession included the Aleutian Isles and the New Archangel establishment.

The coast strip from Pearse's Channel to 141° west longitude, formed but a small and unimportant fraction of the ceded territory, very much less than one-fifth of the whole in area, and in value bearing a still smaller proportion to the total purchase-money.

Consequently, regarded as a mere financial transaction, the cession of this strip by the United States to the British, only with the object of avoiding the further expenditure of 250,000*l.* upon the demarcation of its boundary, could not be regarded as imprudent. But if in addition the United States received from 50,000*l.* to 100,000*l.* out of the 250,000*l.* which would be the British expenditure in marking the line, the financial transaction would be a remunerative one to both Powers.

The result of it would be that the United States would, in effect, benefit immediately to the extent of, say, 350,000*l.*, and avoid future unremunerative outlay, while the British would have to pay, out of an otherwise inevitable expenditure of 250,000*l.*, 100,000*l.* to the United States, and 150,000*l.* towards the organization of the newly-acquired territory.

I have, &c.
(Signed) D. R. CAMERON.

No. 84.

Sir L. West to the Earl of Iddesleigh.—(Received December 18.)

(No. 268.)

My Lord,

Washington, December 1, 1886.

WITH reference to my despatch No. 213 of the 21st September last, I have the honour to your Lordship herewith a Report, accompanied by maps and charts, upon the history and resources of the Territory of Alaska, which I have compiled from the official documents of the Tenth Census and other sources.

I have, &c.
(Signed) L. S. SACKVILLE WEST.

Inclosure in No. 84.

Report on the History and Resources of Alaska.

PREVIOUS to the discovery of the Straits which separate the American and Asiatic continents by Behring in 1728 Alaska may be said to have been unknown. It was not until after the second expedition of this celebrated navigator, and in which he perished, that the Russian Government obtained information respecting the coast in the vicinity of latitude 58° north and some of the islands which form the Aleutian Group, as well as with the greater portion of those which form the Kurile Group. It would seem, however, that as early as the sixteenth century the islands had been visited by adventurers and traders in search of furs, but up to the year 1743, when Bassof visited Behring and Copper Islands, there is no account of any organized expedition in this direction.

In 1745 the Russian trader Glottof advanced as far as the Island of Oonumak, and subsequently discovered the whole group of islands, including Oonalashka.

In 1760 Andreian Tolstykh landed on and surveyed the Island of Adakh, as well as several smaller adjacent ones.

In 1762 an expedition arrived at Oonalashka, but it would seem that on account of the bad treatment to which the natives had been subjected by the Russian traders since their first arrival on the coasts and islands they rose and massacred their oppressors.

In the same year an expedition under Glottof to the Island of Kadiak met with

a similar fate, and until the year 1824 the Russian occupation is a history of outrage, oppression, and disputed territorial jurisdiction.

In the year 1824, however, the Boundary Treaty between Russia and the United States was concluded under General Muraviev's administration, and in 1825 the Treaty with England, designating Prince of Wales' Island, in latitude $54^{\circ} 40'$ north and between longitude 131° and 153° west from Greenwich, as the southern line of the Russian possessions, and as the eastern boundary a line running from the head of the Portland Canal northward along the summits of the coast-line of mountains to a point where it intersects the 56th degree of latitude, from thence the line running to the Arctic Ocean along the 141st meridian.

In the year 1826 General Muraviev was succeeded by Captain Chistiakof, who was succeeded in 1831 by General Wrangel. It was at this time that the dispute with the Hudson Bay Company occurred, on account of the damages claimed for the detention of the Company's bark "Dryad," which had been sent to establish a fort on the River Staklin. An amicable arrangement was, however, subsequently come to by General Wrangel and the Hudson Bay Commissioners.

In 1842 an extensive exploration of the Nukon and Kuskokvim regions was made by Lieutenant Zagokin under the administration of Governor Etholin, and from this time to the date of the final cession of the territory to the United States in 1867 successive exploring expeditions added much valuable information, both as to its geographical features and natural resources.

For statistical purposes, Alaska has been divided into six geographical divisions as follows :—

						Square miles.
The Arctic division, containing	..	..	..	..	..	125,245
The Zukon	..	..	..	..	..	176,715
The Kuskokvim	..	..	..	..	..	114,975
The Aleutian	..	..	..	..	..	14,610
The Kadiak	..	..	..	..	..	70,884
The South-eastern	..	..	..	..	..	28,980
Total area						531,409

Arctic Division.

Little is known of the vast interior of this division. Important discoveries have, however, lately been made by the United States exploring expedition under Lieutenant Stoney. The head waters of the Colville River have been reached, and another large river flowing north, and which carried the explorers into the Arctic Ocean, has been discovered. Large and extensive lakes hitherto unknown have been found. The coast Settlements between Cape Prince of Wales and Barrow Point are frequented annually by whaling ships, hunters, and fur traders.

The natives on these coasts have considerable commercial enterprise, and carry on an extensive traffic with the natives of the Arctic coast of Asia, meeting them on the common trading ground of Behring Straits and the Diomed Islands. The only mineral which has as yet been discovered in this division is coal, in the vicinity of Cape Lisburne. Whales, walrus, seals, Polar bears, reindeer, moose, musk rats, and foxes abound. Aquatic birds swarm, and salmon are plentiful.

M. Ivan Petroff, in his Report (1882) to the Superintendent of Census, says of this division, "There is no foundation upon which to build hopes for future improvement, and that it is beyond the range of possibility. The bulk of the trade has fallen into the hands of illegitimate traders, who clear from American ports for the coast of Siberia, touch at the Sandwich Islands for spirits, and finally cruize along the Alaskan coast purchasing furs, fossils, and walrus ivory. No statistics of this trade, which is considerable, are obtainable."

The population is only 3,094, or 1 inhabitant to $40\frac{1}{2}$ square miles, and there is not a white man or woman.

The Zukon Division.

This division, according to M. Petroff, comprises the valley of the largest river on the North American Continent. He says that the River Zukon discharges every hour one-third more water into the ocean than the Mississippi. The fur trade is in the hands of the California Companies, which have from fifteen to twenty trading stations on the banks of the Zukon. The total value of furs shipped does not, however, exceed 75,000 dollars per annum. Of the valley of the Zukon M. Petroff says, "Much has been said of the great

agricultural region here awaiting development in the near future. The real facts do not warrant any such expectation. The whole valley of the Zukon lies within a few degrees of the Arctic Circle, and the soil, where it is level, is always swampy, and the heat of summer has no effect beyond an astonishing growth of native grasses and weeds, and bringing into life dense clouds of mosquitoes."

The Aleutian Division.

The islands of this division are a mere continuation of the main Alaskan Range. They are all mountainous, with peaks of from 4,000 to 8,000 feet in height. The Shumagin Group is the great resort of the sea otter, of which about 600 are secured annually. The Pribylof Islands contain the breeding-grounds of the fur-seal, but the "rookeries" are found only on the Islands of St. Paul and St. George, and are the subject of an interesting Report by H. W. Elliot, under the direction of the Superintendent of Census. These islands are situated 1,400 miles west-north-west of Sitka, and nearly 200 miles from Oonalashka on the Aleutian Islands. They were first peopled by natives from Oonalashka, brought over by the Russians in 1786. There are eighty families and as many dwellings on the Island of St. Paul, and twenty-four families on the Island of St. George.*

The Alaska Commercial Company has its fur-seal fishery organization here. The breeding-grounds are carefully watched and protected; 1,000,000 seal-pups are born every year, but there is a loss of 50 per cent. by whales, sharks, and other predatory fish. Seals are in their prime at from 4 to 5 years of age. An average seal will measure $6\frac{1}{2}$ feet long, and weighs 400 lbs. It is estimated that there are over 3,000,000 seals on each island during the breeding season, not counting the non-breeders. The Company is permitted by the Government to take 100,000 seals annually, and this catch is made between the 14th June and the 1st August. More than 4,000,000 seal-skins have been taken since 1797.

When the killing season has arrived squads of men rush in between the sleeping seals and the surf-wash and drive them slowly to designated slaughtering grounds, halting them occasionally to rest and cool down, for heating injures the fur. Finally the slaughter grounds are reached, the seals are told off in detail, and at a given signal the men fall upon them with clubs and lay them out right and left, after which work they are knifed and skinned at the rate of one in four minutes.

The Alaska Company has stations all over the Aleutian Islands west and north of Kadiak, and employs four steamers and a dozen ships, barks, and sloops, besides working boats.

The blue fox has been introduced into these islands, and some 200 are killed annually.

The sea otter is scarce.

The Kadiak Division.

This division comprises the south side of the Alaskan Peninsula as far west as the narrow isthmus between Port Moller and Zaakharof Bay. The Settlements are small and widely scattered. The walrus frequents these coasts in large numbers, and supplies the principal food of the inhabitants.

The Island of Kadiak was discovered by the Russians in 1762, but was abandoned on account of the hostile disposition of the natives, and was not permanently occupied until twenty years later, when the first missionaries arrived. The Report says that a century of uninterrupted presence of Christianizing influences has so transformed these natives that not a vestige of their former fierce and savage nature can now be found. The climatic conditions of the island are favourable for the cultivation of vegetables and rearing of cattle. Large game abounds. Black and brown bears, the latter measuring from 10 to 12 feet in length, are killed in great numbers. A species of reindeer, the woodland cariboo, moose, mountain sheep, the beaver, the porcupine, the whistling marmot, black and grey wolves, the lynx, the wolverine, the marten, minx, and musk rat are also plentiful. Aquatic birds swarm. The easternmost part of this division comprises the coast bordering on the Gulf of Chugatch or Prince William's Sound, and from thence to Mount St. Elias. This is essentially an alpine region. The superficial area is approximately 70,884 square miles, and the number of inhabitants 4,352.

The South-eastern Division.

This division comprises the narrow strip of coast-line from Mount St. Elias to Portland Canal, and partakes of the character of the coast of British Columbia. It is

* See Report on History and Origin of

(Sir L. West's No. 212.)

densely wooded and exceedingly mountainous. The Alaska spruce, and the most valuable of all the northern trees, the yellow cedar, is found in great quantities. The area is 28,980 square miles, and population 7,748.

The total population of Alaska is given as follows :—

White	..	..	..	..	..	430
Creole	..	..	..	..	..	1,756
Eskimo	..	..	..	..	..	17,617
Aleuts	..	..	..	..	..	2,145
Athabaskan	..	..	..	..	..	3,927
Thlurkets	..	..	..	..	..	6,763
Hydah	..	..	..	..	..	788
Total	..	..	..	..	..	33,426

The Fur-bearing Animals of Alaska.

The fur seal (*Callorhinus ursinus*), found on the Islands of St. Paul and St. George.

The sea otter (*Enhydra marina*) exists chiefly on a line parallel with the Japanese current from the coast of Japan along the Kurile Islands to the coast of Kamschatka.

The land otter (*Lutra canadensis*).

The beaver (*Castor fiber*).

The brown bear (*Ursus Richardsonii*).

The black bear (*Ursus Americanus*).

The red fox (*Vulpes fulvus*).

The black or silver fox (*Vulpes fulvus argentatus*).

The cross fox (*Vulpes fulvus decussatus*).

The Arctic fox (*Vulpes lagopus*), black and white.

The minx (*Putorius vison*).

The marten (*Mustela Americanus*).

The London market value of the annual yield of furs in Western Alaska is given as follows :—

	Number.	Price.		Value.
		Dol.	c.	
Sea otter	4,500	100	00	450,000
Fur seal	100,000	15	00	1,500,000
Land otter	2,500	3	00	7,500
Beaver	5,800	3	00	17,400
Black fox	920	30	00	27,600
Cross fox	2,560	3	00	7,680
Red fox	11,400	1	50	17,100
Artic fox, blue	1,190	4	00	4,760
„ white	1,580	3	00	4,740
Black bear	100	5	00	500
Brown bear	711	2	00	1,422
Minx	10,300	0	30	3,090
Marten	10,500	3	50	36,750
Musk rat	6,800	0	10	680
Lynx	870	3	00	2,610
				2,081,832

To which value must be added about 100,000 dollars for the value of the furs of South-eastern Alaska.

The Fisheries.

Mr. Tarleton Bean, of the Smithsonian Institution, enumerates seventy-five species of food fishes existing in the waters of Alaska, of which the codfish stands foremost in quantity as well as commercial importance. Professor G. Davidson, of the United States' Court Survey, stated soon after the purchase of Alaska that the soundings of Behring Sea, and of the Arctic Ocean north of Behring Straits, indicated the largest submarine plateau yet known. Soundings of 50 fathoms over an extent of 18,000 square miles were found. Over this marine area the codfish range in unlimited numbers. The cod fishery of the North acific has been carried on for the last sixteen years with the result of a catch of 12,952,300 fish. This quantity might, it is thought, be nearly doubled by the introduction of the methods of fishing on the eastern coasts. Of the various species of

codfish, there is one familiarly known in Alaska as the black cod (*Anoplopoma fimbria*), which seems likely to prove a valuable addition to the list of food fishes. It is caught chiefly by the Haidah Indians, who extract the oil and grease, which is of the colour and consistency of soft lard, and is used by them for food. The fishing-lines employed are made from a gigantic kelp (*Nerocystis*), which has a stem 300 feet long, and when cut and bleached equals the best hempen line.

"The quantities of salmon found in Alaska," says Mr. Hallock in his book "Our Alaska," "are simply enormous, perhaps a hundredfold greater than in the rivers of Canada. I have seen," he asserts, "the outlet of Lake Loring, which is a rivulet 2 miles long and 2 rods wide, connecting the salt water with the fresh, so choked with living salmon that if a plank were laid across their protruding backs a man could walk over dry-shod."

The proportion of Alaskan fish brought into the markets of the world, when compared with the consumption by the natives, is very small. The Kadiak and Aleutian divisions, however, ship annually from 4,000 to 5,000 barrels of salted salmon, worth 9 dollars per barrel. Codfish shipments from the Shumagin Islands and Behring Sea amount to nearly 600,000 fish annually.

The Timber of Alaska.

Mr. Hallock says, "The visible wealth of Alaska lies in her forests. Alaska is the great timber reserve of the continent. Trees of such size and commercial value exist nowhere else on the globe in such numbers and extensive areas of growth. There is a supply here of 5,700,000,000 feet at once accessible for shipment. We are, he continues, approaching a time when the timber resources of the Union will be overtaxed and timber will be scarce, but with a reserve of 300,000,000 acres of the noblest timber in the world there is a source of wealth upon which the people may draw for generations to come. The Douglas pine is found 9 feet in diameter at the base, and the Indians make canoes dug out of the red cedar 60 feet long and 18 feet beam."

M. Petroff says, "The Sitka spruce and yellow cedar are the most valuable trees. Clumps of the latter are found 100 feet high, with a diameter of from 5 to 6 feet. The lumber obtained from them is of the very finest texture, odour, and endurance, and is highly prized by cabinet-makers and ship-builders;" and yet, he says that "as long as the immense forests of Oregon, Washington Territory, and Southern British Columbia stand as they exist to-day, there will practically be no market for Alaskan timber." In this opinion, however, Mr. Hallock does not coincide.

Minerals.

M. Petroff reports that coal is found, chiefly or wholly of a lignite composition, at a great many points throughout the southern and western coasts of Alaska and the islands, but in regard to reputed findings of large paying gold mines and other precious minerals, there is nothing of the kind in Western Alaska. Gold is found about Cook's Inlet and in other localities, but it would seem, according to Lieutenant Doroshin's Report, in the proportion only of 16 grains to 36 lbs. of dirt. Mr. Hallock, on the other hand, asserts that the total output of mining operations in 1885 was 251,000 dollars, or $3\frac{1}{2}$ per cent. on the purchase price of the Territory.

Agriculture.

M. Petroff prefaces his Report on agriculture with the remark that it is a well-ascertained fact that cereal crops cannot be grown in Alaska, and comes to the conclusion that the extended coast islands and mainland cannot support any considerable number of immigrants as agriculturists, and that the raising of stock, cattle, sheep, and hogs, is attended with great difficulties. This statement seems to be justified by the failure of agricultural experiments which have been tried near the coast and on some of the islands, but it is possible that the valleys may prove more fertile. Mr. Hallock describes the upper waters of the Zukon River in glowing terms: "Flowers bloom, beneficent plants yield their berries and fruits, majestic trees spread their umbrageous fronds, and song-birds make the branches vocal. The water is pure and pellucid, the banks resplendent with verdure and with grass and shining pebbles." Such a region may be capable of cultivation, but it is more than 1,000 miles distant from the sea, and the middle country is broken up by the glacial mud washed down from the mountains. The delta of the Zukon is, moreover, a labyrinth of channels and islands which are piled with drift-wood and débris brought down by the current, and there is therefore no outlet for the produce of the interior country. As already pointed out, the real value of Alaska consists in the fur-

bearing animals which frequent the islands in Behring Sea. The fur trade on the mainland is not to the same extent as profitable, as the natives still continue to trade with the British possessions through the posts established by the Hudson Bay Company.

For the exclusive right of catching seals the Alaska Company pays the Government a total sum of 315,000 dollars every year, and when the lease expires in 1890 it will have paid into the United States' Treasury 6,340,000 dollars, a sum equal to six-sevenths of the original purchase-money. The Company has therefore established a monopoly which it is clearly in the interest of the Government to support, and which, it is contended, offers the only means of preventing the indiscriminate slaughter of seals and their ultimate extirpation. The jurisdiction which the Company thus claims over Behring Sea involves questions which are foreign to this Report.

Annexed to this Report are the following Maps and Charts (no duplicate published by the United States' Government) :—

1. United States Coast and Geodetic Survey. Alaska and adjoining Territory.
2. North-west Coast of America. Cape Flattery to Dixon Entrance.
3. Dixon Entrance to Cape St. Elias. Jey Bay to Sumdi Islands.

No. 85.

Sir R. Herbert to Sir P. Currie.—(Received December 18.)

Sir, *Downing Street, December 17, 1886.*
 WITH reference to your letter of the 20th ultimo, I am directed by the Secretary of State for the Colonies to transmit to you, for the information of the Earl of Iddesleigh, copies of despatches which have been addressed to the Governor-General of Canada relative to the Alaskan Boundary question.

I am, &c.
 (Signed) ROBERT G. W. HERBERT.

Inclosure 1 in No. 85.

Mr. Stanhope to the Marquis of Lansdowne.

My Lord, *Downing Street, December 7, 1886.*
 WITH reference to previous correspondence respecting the question of the Alaska Boundary, I have the honour to transmit to you, for the information of your Lordship's Government, the accompanying copies of Colonel Cameron's Report on the subject.*

I have, &c.
 (Signed) EDWARD STANHOPE.

Inclosure 2 in No. 85.

Mr. Stanhope to the Marquis of Lansdowne.

(Secret.)
 My Lord, *Downing Street, December 7, 1886.*
 WITH reference to my despatch of this day's date respecting the Alaska Boundary question, I have the honour to transmit to you, for confidential communication to your Government, copy of a letter from Colonel Cameron on the subject.

I have, &c.
 (Signed) EDWARD STANHOPE.

No. 86.

The Earl of Iddesleigh to Sir L. West.

(No. 256.)
 Sir, *Foreign Office, December 24, 1886.*
 I HAVE received your despatch No. 268 of the 1st instant, inclosing a Memorandum, accompanied by Maps and Charts, which you have compiled on the history and resources of the Territory of Alaska, and I have to convey to you my thanks for this valuable Report.

I am, &c.
 (Signed) IDDESLEIGH.

CONFIDENTIAL.

(5634.)

PART II.

FURTHER CORRESPONDENCE

RESPECTING THE

BOUNDARY

BETWEEN THE

BRITISH POSSESSIONS IN NORTH AMERICA

AND THE

TERRITORY OF ALASKA.

1887.

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CONFIDENTIAL.

Further Correspondence respecting the Boundary between the
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PART II.

No. 1.

Sir J. Pauncefote to Sir R. Herbert.

Sir, *Foreign Office, January 11, 1887.*
I LAID before the Earl of Iddesleigh your letter of the 1st ultimo, asking for his Lordship's opinion with regard to a suggestion made by Colonel Cameron for acquiring from the United States the strip of Alaska territory from Pearse's Channel to 141° west, which intervenes between the Dominion of Canada and the sea.

I am directed by his Lordship to request that you will inform the Secretary of State for the Colonies, that he considers that the solution suggested by Colonel Cameron would be very satisfactory to this country, but, before deciding as to instructing Her Majesty's Minister at Washington to sound Mr. Secretary Bayard on the subject, Lord Iddesleigh thinks that it would be desirable that Her Majesty's Government should learn the views of the Canadian Government, and what financial engagements they would be prepared to undertake for the object proposed by Colonel Cameron.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 2.

Sir L. West to the Earl of Iddesleigh.—(Received January 18.)

(No. 3.)
My Lord,

Washington, January 7, 1887.

I HAVE the honour to inform your Lordship that an amendment to the Sundry Civil Appropriation Bill to provide for the expense of a preliminary survey of the Convention boundary-line between Alaska and British Colombia has been favourably reported by the Senate Committee on Foreign Relations.

I have, &c.
(Signed) L. S. SACKVILLE WEST.

No. 3.

Sir P. Currie to Sir R. Herbert.

Foreign Office, January 22, 1887.

[Transmits copy of Sir L. West's No. 268 of December 1, 1886, with duplicates of
Maps.]

No. 4.

*Sir P. Currie to Sir R. Herbert.**Foreign Office, January 29, 1887.*[Transmits copy of Sir L. West's No. 3 of January 7, 1887: *ante*, No. 2.]

No. 5.

Sir L. West to the Marquis of Salisbury.—(Received February 11.)

(No. 14.)

My Lord,

Washington, January 19, 1887.

WITH reference to my despatch No. 237 of the 22nd October last, I have the honour to inclose to your Lordship herewith copy of an amendment embodied in the Sundry Civil Expenses Bill, which provides for the expenses of a preliminary reconnaissance to examine the boundary-line between Alaska and British Columbia.

I have, &c.

(Signed) L. S. SACKVILLE WEST.

Inclosure in No. 5.

Amendment embodied in the Sundry Civil Expenses Bill.

FOR the expenses of a preliminary reconnaissance, to be made under the direction of the Secretary of the Navy, to examine the configuration of the Conventional boundary-line between Alaska and British Columbia, following the coast from Portland Channel to the 141st meridian, and to ascertain and report how far the natural features of the country permit the accurate location of the line of demarcation contemplated by the IIIrd and IVth Articles of the Convention between Great Britain and Russia of the 28th February, 1825, which boundary is reaffirmed in the Treaty of 1867, whereby Russia ceded the territory of Alaska to the United States, 50,000 dollars, to be immediately available; and the officer conducting such reconnaissance shall make such recommendations touching the practical establishment of the boundary-line as in his judgment may be necessary.

No. 6.

Sir P. Currie to Sir R. Herbert.

Sir,

Foreign Office, February 22, 1887.

WITH reference to the letter from this Office of the 6th November last, I transmit to you copies received from Her Majesty's Minister at Washington of an Appropriation Act passed by the United States' Senate;* and I am to request that, in laying this letter before Sir H. Holland, you will call his attention to the passage on pp. 49, 50, which provides for the expenses of a preliminary reconnaissance to examine the boundary-line between Alaska and British Colombia.

I am, &c.

(Signed) P. CURRIE.

No. 7.

Sir L. West to the Marquis of Salisbury.—(Received March 21.)

(No. 64.)

My Lord,

Washington, March 9, 1887.

WITH reference to my despatch No. 14 of the 19th January last, I have the honour to inform your Lordship that Congress has refused the appropriation for the preliminary survey of the boundary between Alaska and British Colombia.

I have, &c.

(Signed) L. S. SACKVILLE WEST.

* Inclosure in No. 5.

No. 8.

*Colonial Office to Foreign Office.—(Received May 17.)*Sir, *Downing Street, May 16, 1887.*

I AM directed by the Secretary of State for the Colonies to transmit to you, to be laid before the Marquis of Salisbury, copy of a despatch from the Governor-General of Canada, requesting to be furnished with an accurate copy of the Treaty of 1825.

I am to request that you will move Lord Salisbury to cause an accurate and duly attested copy of the Treaty in question, to be forwarded to me for transmission to Canada.

I have, &c.
(Signed) JOHN BRAMSTON.

Inclosure in No. 8.

*The Marquis of Lansdowne to Sir H. T. Holland.*Sir, *Government House, Ottawa, April 28, 1887.*

AT the instance of my Minister of the Interior, I have the honour to make application for an accurate and duly attested copy in the language in which it was originally written, and also of the translation from such language which was accepted by the British Plenipotentiary, of the Treaty of 1825, defining the boundary between the British possessions of North America, and the territory of Alaska,

Such versions of the text of the said Treaty as are at present at the disposal of my Minister, do not precisely agree, and are consequently presumed to be mere reprints or copies from other copies.

I have, &c.
(Signed) LANSDOWNE.

No. 9.

Memorandum by Sir E. Hertslet.

A COPY of the *Convention* with Russia of the 16th (28th) February, 1825, is sent herewith, as well as a copy of the *Ratification* of that Convention.

They have both been copied from the originals, and have been carefully compared.

They are exact in their wording, but differ considerably in their punctuation, and this is of great importance with reference to Article III. Colonel Cameron drew specially attention to the punctuation of this Article in his Memorandum for the Colonial Office of the 9th April, 1886. (See p. 48 of Print.) In the *Convention* the words are: "La dite ligne remontera au nord le long de la passe, dite Portland Channel, jusqu'au point de la terre ferme où elle atteint le 56° degré de latitude nord;" but in the *Ratification* the passage runs thus: "La dite ligne remontera au nord le long de la passe dite Portland Channel jusqu'au point de la terre ferme où elle atteint le 56° degré de latitude nord," without any commas being placed after the words *passe* and *Channel*, which makes all the difference in the sense of the Article.

The Governor-General of Canada asks for a copy of the translation from the Treaty which was accepted by the British Plenipotentiary, but it does not exist in our archives, nor would it appear to exist in the archives of the Embassy at St. Petersburg, for when Sir R. Morier was written to on the subject in April last year he replied that the original documents and maps used during the negotiations precedent to the conclusion of the Convention of 1825 could not be found. (See p. 54 of Print.)

The Convention was signed in French only; but a translation of it in English was laid before Parliament with the French version in 1825.

Before sending the copy of the Convention and of the Ratification to the Colonial Office, I conclude they should be certified by Sir Julian Pauncefoot as being correct copies from the original documents in the possession of Her Majesty's Government. The original Convention is here; but the Ratification is at the Public Record Office.

E. H.

May 27, 1887.

No. 10.

Foreign Office to Colonial Office.

(Confidential.)

Foreign Office, June 14, 1887.

[Transmits Confidential Print (Alaska Boundary) 1886 (5439).]

No. 11.

Foreign Office to Colonial Office.

Sir,

Foreign Office, June 16, 1887.

IN reply to your letter of the 16th ultimo requesting a certified copy of the Convention with Russia dated the 28th February, 1825, respecting the Alaska boundary for transmission to the Government of Canada, I am directed by the Marquis of Salisbury to transmit to you, to be laid before Secretary Sir H. Holland, a copy of a Memorandum by the Librarian of this Department on the subject.*

I am also to inclose translation of the Convention in question as laid before Parliament, and also certified copies from the original of the Convention and of the Ratification.†

I am, &c.
(Signed) P. CURRIE.

No. 12.

The Marquis of Salisbury to Sir L. West.

(No. 140. Confidential.)

Foreign Office, June 25, 1887.

[Transmits Confidential Print (Alaska Boundary) 1886 (5439).]

No. 13.

Colonial Office to Foreign Office.—(Received July 11.)

Sir,

Downing Street, July 11, 1887.

I AM directed by Secretary Sir Henry Holland to transmit to you, to be laid before the Marquis of Salisbury, a copy of a despatch from the Governor-General of Canada, calling attention to certain points in the report of a reconnaissance in Alaska in 1883 made by Lieutenant Schwatka, of the United States' army.

Sir Henry Holland referred this despatch to Colonel Cameron, R.A., who has recently been engaged in examining records relating to the Alaska Boundary question, and I am to inclose a copy of a letter containing his observations upon the subject.

I am to request to be informed of any communication which Lord Salisbury may think proper to make to the United States' Government upon the matters referred to in these papers.

It would seem desirable that the error as to the position of Fort Selkirk should be corrected, and Lord Salisbury may perhaps think it right to take an opportunity, when conversing with the United States' Minister, of calling his attention to the statement in paragraph 2 of the Marquis of Lansdowne's despatch as to Lieutenant Schwatka having travelled without permission in Canadian territory whilst engaged in his military reconnaissance.

I am, &c.
(Signed) ROBERT G. W. HERBERT.

Inclosure 1 in No. 13.

The Marquis of Lansdowne to Sir H. Holland.

(Secret.)

Sir,

Government House, Ottawa, April 19, 1887.

I HAVE the honour to inclose copy of a Report by Mr. Burgess, Deputy of the Minister of the Interior, dealing with the subject of the military reconnaissance in Alaska made in 1883 by Lieutenant Frederick Schwatka, of the United States' army, under instructions from the United States' Secretary of War, which has been handed to me by my Minister of the Interior.

You will observe that Lieutenant Schwatka, while engaged on his "military reconnaissance" in Alaska, traversed British territory for a considerable distance without permission from my Government, or, as far as I am aware, from that of Her Majesty. It is not probable that such permission would have been refused had it been applied for, and my Government does not desire to attach undue importance to this incident.

It is noteworthy that Lieutenant Schwatka's Report contains a distinct admission of "the fact that the country beyond the Kotush Mountains lies in British territory," an admission which may be of use in the event of any discussion hereafter arising in regard to the location of the frontier.

I may also call your attention to the second of the two points to which Mr. Burgess especially refers, viz., that the United States' Secretary of War, in his despatch of the 1st December, 1884, speaks of Fort Selkirk on the Yukon River as being situated in Alaska. As this claim would certainly not be admitted by my Government, it is desirable that some opportunity should be found for making the Russian* Government aware that we regard Fort Selkirk as being in Canadian territory.

I have, &c.

(Signed) LANSDOWNE.

Inclosure 2 in No. 13.

Mr. Burgess to Mr. White.

(Secret.)

Sir,

Department of the Interior, Ottawa, March 23, 1887.

I HAVE the honour to direct your attention in writing, as I have already done verbally, to the report of the military reconnaissance in Alaska made in 1883 by Lieutenant Frederick Schwatka, of the United States' army, under instructions from the United States' Secretary of War. The Report mentioned is submitted herewith.

On the 7th April, 1883, Lieutenant Schwatka was instructed by the Brigadier-General commanding the Department of the Columbia to proceed to Alaska, for the purpose of gathering all information that could be obtained that would be valuable and important, especially to the military branch of the Government. In pursuance of those instructions, Lieutenant Schwatka left Portland, Oregon, on the 22nd May, 1883, and, as stated on the 12th page of his Report, his instructions being to endeavour to complete all information in each section of the country before proceeding to another, he had chosen the valley of the Yukon River as that district of the most importance in the territory, and of which little or nothing was known in a military sense; and because of the slow progress that had been made in previous explorations from the mouth of this river, on account of the swiftness of the current, he had concluded that he could best serve his purpose by descending it from its head. Early in the month of June he proceeded to carry out this purpose by sailing up the Chilkoot Inlet, and by way of Perrier Pass he reached Crater Lake, the head of the Yukon River, on the 11th June. On p. 20 of his Report he states: "The fact that the country beyond Perrier Pass, in the Kotush Mountains, lies in British territory (as shown by our astronomical observations and other geographical determinations when brought back and worked out), lessens the interest of this trail beyond the pass to the military authorities of our Government;" and yet for the distance of 783·3 miles, which he himself states to be the length of the Yukon River within British America, he prosecuted his military reconnaissances through the territory of a friendly country. True, the Brigadier-General commanding, in his despatch forwarding Lieutenant Schwatka's Report to Division Head-quarters, on the 15th May, 1884, states that "that part of the Report which embraces a survey of a portion of British America, with description of the same, was not called for by the letter

* Qy. United States.

of instructions;" while the publication of so much of the Report as had appeared in various newspapers and magazines, prior to its being submitted to the military authorities, "has been disapproved."

A copy of the Report was duly submitted by the Secretary of War to the United States' Senate, by a despatch dated the 1st December, 1884, in which it is described as "the official Report of Lieutenant Frederick Schwatka, 3rd Cavalry, of his military reconnaissance of 1883, from Chilkoot Inlet, Alaska, to Fort Selkirk, on Yukon River, Alaska, in compliance with the Resolution of the Senate of the 18th April, 1884."

There are two points to which I think it is desirable to direct your particular attention:—

1. That the expedition conducted by Lieutenant Schwatka was an invasion of the territory of a friendly country.

2. That the United States' Secretary of War, in his despatch of the 1st December, 1884, already referred to, speaks of Fort Selkirk, on the Yukon River, as being situated in Alaska, in defiance of the well-known fact that Fort Selkirk is within Canadian territory—a fact which is admitted and proved by Lieutenant Schwatka's survey of the Yukon River, in so far as that survey can be said to have proved anything.

I respectfully submit that at the present time this matter is deserving of, and ought to receive, attention at the hands of the Government of Canada.

I have, &c.

(Signed) A. M. BURGESS,
Deputy of the Minister of the Interior.

Inclosure 3 in No. 13.

Colonel Cameron, R.A., to Colonial Office.

Sir,

Sheerness, May 30, 1887.

IN returning the despatch of the 19th April, 1887, from his Excellency the Governor-General of Canada, with accompanying correspondence transmitted to me on the 16th instant, I have the honour, in compliance with the desire of the Secretary of State, to submit the following remarks for his consideration.

My attention has been directed by the correspondence now returned to two questions, viz.:—

Is the Fort Selkirk referred to by Lieutenant Schwatka, of the United States' army, in his "Report of a Military Reconnaissance in Alaska made in 1883," in British or in United States' territory?

Is importance attachable to the statement by Lieutenant Schwatka (see p. 20 of his Report, that "the fact that the country beyond Perrier Pass, in the Kotush Mountains, lies in British territory (as shown by his party's astronomical observations, and other geographical determinations when brought back and worked out), lessened the interest of this trail beyond the pass to the military authorities of the United States' Government?

Premising that no opinion nor decision by Lieutenant Schwatka can be accepted as internationally authoritative with regard to the boundary between Alaska and Her Majesty's territories, I nevertheless have no doubt that his statements that the site of Fort Selkirk and the country north of Perrier Pass are in British territory, will prove to be quite correct.

The suggestion that the United States' Government consider the site of Fort Selkirk as being in United States' territory is apparently due to an error in the wording of the Resolution adopted by the United States' Senate on the 18th April, 1884, in which the reconnaissance is described as extending from "Chilkout Inlet, Alaska, to Fort Selkirk, on Yukon River, Alaska" (see p. 1 of the Report "Ex. Doc. No. 2, 48th Congress, 2nd Session—Senate").

This error may easily be traced to Lieutenant Schwatka's re-naming of streams he followed.

His Report was not rendered, even in manuscript, to the military authorities until some time after the Resolution in the Senate had been adopted, and was not transmitted to the Government until over six months thereafter.

Lieutenant Schwatka's instructions had been to carry out a reconnaissance within Alaska, and, consequently, the framer of the Resolution not having the Report to refer to, would naturally assume that the terminal points of the reconnaissance were in Alaska, and would so describe them. Moreover, the name "Yukon River" had formerly been limited to the stream wholly within United States' Alaska, from the junction of Porcupine and Pelly Rivers; but Lieutenant Schwatka (see Report, p. 33) re-named

Lewes River, calling it "Yukon River," and extended the same name to 284 miles of Pelly River the continuation of his route to the commencement of the stream previously known as Yukon River, at the inflow of Porcupine River.

Consequently it might well be that the framer of the United States' Senate Resolution, having learnt that Schwatka's party placed Fort Selkirk on the Yukon, did not know that the River Pelly was meant, and naturally assumed the position was on the Yukon in United States' territory.

The recurrence of the error in the letters of the United States' military authorities are mere quotations of the Senate's Resolution.

There is, however, no doubt as to Lieutenant Schwatka's opinion.

The title of Map No. 5 attached to his Report notes that Part 2 extends "from Fort Selkirk, B.C., to Fort Yukon, Alaska." "B.C." here stands for "British Columbia."

Fort Selkirk is shown on this Map as opposite the inflow of Pelly River.

At p. 33 of his Report Lieutenant Schwatka gives the latitude and longitude of the site of Fort Selkirk (destroyed in 1851) as $62^{\circ} 45' 30''$ north, and $137^{\circ} 22' 45''$ west (Greenwich), but Her Majesty's territory by Treaty extends farther west, to 141° west, as Lieutenant Schwatka well knew (see his itinerary, p. 47 of his Report).

If it be deemed desirable to afford the United States' Government an opportunity to correct the error in the Senate Resolution, I have little doubt they would immediately do so were their attention drawn to the point by a simple inquiry whether it is to be understood that they consider the site of Fort Selkirk to be in United States' territory, as indicated by the Senate Resolution of the 18th April, 1884.

The reference to Perrier Pass by Lieutenant Schwatka is, I regret to say, of a much less satisfactory character.

It cannot be admitted that the watershed line when within 10 marine leagues of the ocean is the location of the boundary defined by the Treaty with Russia of 1825, for this would be equivalent to conceding that 10 marine leagues is to be the unvarying breadth of United States' coast territory in South Alaska, a concession opposed to the terms of the Treaty.

Nor can it be admitted that the distance from the ocean is to be measured from the heads of creeks and inlets.

I believe Perrier Pass is far beyond 10 marine leagues inland from the ocean, and that there is a line of mountain crests, intercepted it is true by Lynn Channel, of which Chilkoot Inlet forms a part, much closer than 10 marine leagues to the ocean coast-line.

It would not, however, I think, be advisable to raise an exceptional discussion on this point with the United States' Government if there be any prospect that an opportunity may hereafter be found for dealing with the whole British Alaskan boundary at one time.

In the correspondence that took place with reference to the Stickeen River Customs, and the demand by the United States' Government that a prisoner conveyed through United States' territory there should be released by the Canadian authorities, there was, unfortunately, introduced an argument founded on the location of the boundary at the spot.

Decisions thus arrived at will very much interfere with negotiations in which recourse to mutual yielding may be necessary when the question of the whole boundary is being dealt with.

For these reasons, I would respectfully submit for consideration that either the Senate Resolution and Lieutenant Schwatka's Report may be wholly ignored by Her Majesty's Government, or, if the Senate Resolution be touched on, then at the same time the United States' Government should be informed that Her Majesty's Government having noted that Lieutenant Schwatka has indicated in his Report two points at which he determined the international boundary to be, Perrier Pass and 141° west longitude, cannot accord even qualified assent to those determinations.

To the justice of such an intimation the United States could hardly take exception, since Her Majesty's Government have more than once expressed their desire that an international adjustment of the line should be effected.

I have to apologize for the delay which has occurred in making the foregoing reply to your letter of the 16th instant. I was away from Sheerness then, and did not return until the 23rd instant, when further delay was caused by my not having a copy of Lieutenant Schwatka's Report to which to refer.

I have, &c.

(Signed) D. R. CAMERON.

No. 14.

Foreign Office to Colonial Office.

Sir,

Foreign Office, August 2, 1887.

IN reply to your letter of the 11th ultimo, I am directed by the Marquis of Salisbury to transmit to you a draft of a despatch which his Lordship proposes to address to Her Majesty's Minister at Washington in regard to Lieutenant Schwatka's Report of the reconnaissance made by him in Alaska in 1883.*

I am to request that, in laying the same before Sir H. Holland, you will move him to inform Lord Salisbury whether he concurs in its terms.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 15.

Colonial Office to Foreign Office.—(Received August 20.)

Sir,

Downing Street, August 19, 1887.

I AM directed by Secretary Sir Henry Holland to acknowledge the receipt of your letter of the 2nd instant, and to state that he concurs in the terms of the communication which the Marquis of Salisbury proposes to address to the United States' Government with reference to Lieutenant Schwatka's Report on his reconnaissance in Alaska.

The inclosure to your letter is returned herewith.

I am, &c.

(Signed) R. H. MEADE.

No. 16.

The Marquis of Salisbury to Sir L. West.

(No. 206.)

Sir,

Foreign Office, August 20, 1887.

WITH reference to your despatch No. 14 of the 19th January last, and to previous correspondence relating to the question of the boundary between Alaska and British Columbia, I transmit, for your information, copies of a letter from the Colonial Office, with its inclosures, calling attention to certain points in the Report made by Lieutenant Schwatka, of the United States' army, of a reconnaissance made by him in Alaska in 1883, of which a copy accompanied your despatch No. 113 of the 20th April, 1886.

You will notice, as is pointed out in this correspondence, that in the wording of the Resolution adopted by the United States' Senate on the 18th April, 1884, the reconnaissance is described as extending from "Chilkoot Inlet, Alaska, to Fort Selkirk, on Yukon River, Alaska."

But, as is shown in sheet 5 attached to Lieutenant Schwatka's Report, Part II of the Map of the routes followed by him extends "from Fort Selkirk, B.C., to Fort Yukon, Alaska" (B. C. standing for British Columbia); and at p. 33 of his Report the latitude and longitude of the site of Fort Selkirk is given as 62° 45' 30" north, and 137° 22' 45" west, which is well within the territory belonging to this country, which extends as far as 141° west.

It will also be seen, on referring to pp. 20 and 47 of the Report, that Lieutenant Schwatka has indicated two points, viz., Perrier's Pass and 140° west longitude, which he has determined as defining the international boundary.

Her Majesty's Government, as you are aware, have agreed in principle to take part in a preliminary investigation of the Alaska boundary question, but they are not prepared to admit that the points referred to by Lieutenant Schwatka in any way fix where the line should be drawn.

Lieutenant Schwatka, in the course of his military reconnaissance in Alaska, appears to have traversed British territory for a considerable distance; but, so far as Her Majesty's Government are aware, no intimation of such a desire on his part was conveyed to any of the British authorities. They do not attach any importance to this fact, and no doubt, had their acquiescence been asked, it would not have been refused.

Her Majesty's Government have no desire at the present moment to raise any discussion in regard to the question of the boundary between Alaska and British Columbia; but in order that it may not be prejudiced hereafter by absence of remark on their part on the points alluded to above, I request that you will in a friendly manner call Mr. Bayard's attention to the observations contained in this despatch.

I am, &c.
(Signed) SALISBURY.

No. 17.

Sir L. West to the Marquis of Salisbury.—(Received September 27.)

(No. 267.)

My Lord,

Washington, September 15, 1887.

IN obedience to the instructions contained in your Lordship's despatch No. 206 of the 20th ultimo, I have called the attention of Mr. Bayard to the observations therein contained on Lieutenant Schwatka's Report of a military reconnaissance in Alaska in a note and Memorandum, copies of which I have the honour to inclose herewith.

I have, &c.
(Signed) L. S. SACKVILLE WEST.

Inclosure 1 in No. 17.

Sir L. West to Mr. Bayard.

Sir, *Washington, September 14, 1887.*

I HAVE the honour to inclose to you herewith a Memorandum calling the attention of the United States' Government to certain points in the Report made by Lieutenant Schwatka, of the United States' army, of a reconnaissance made by him in Alaska, and to observe at the same time that he traversed British territory for a considerable distance without any intimation having been given to the British authorities of his intention of so doing.

I may add, however, that Her Majesty's Government do not attach any importance to this fact, and that no doubt had their acquiescence been asked it would not have been refused.

I have, &c.
(Signed) L. S. SACKVILLE WEST.

Inclosure 2 in No. 17.

Memorandum.

IN the wording of the Resolution adopted by the United States' Senate on the 18th April, 1884, the reconnaissance of Lieutenant Schwatka is described as extending from "Chilkoot Inlet, Alaska, to Fort Selkirk, on Yukon River, Alaska." But, as is shown in sheet 5 attached to Lieutenant Schwatka's Report, Part 2 of the Map of the routes followed by him extends from Fort Selkirk, B. C. (standing for British Columbia); and at p. 33 of his Report the latitude and longitude of Fort Selkirk is given as 62° 45' 30" north and 137° 22' 45" west, which is well within the territory belonging to Great Britain, which extends as far as 141° west.

It will also be seen on referring to pp. 20 and 47 of the Report, that Lieutenant Schwatka has indicated two points, viz., Perrier Pass and 141° west longitude, which he has determined as defining the international boundary.

Although Her Majesty's Government have agreed in principle to take part in a preliminary investigation of the Alaska boundary question, they are not prepared to admit that the points referred to by Lieutenant Schwatka in any way fix where the line should be drawn.

It is not sought to raise any discussion at the present moment in regard to the position of the boundary between Alaska and British Columbia; but in order that it may not be prejudiced hereafter by absence of remark on the points alluded to above, Her Majesty's Government have thought it expedient to call the attention of the United States' Government to the foregoing observations.

No. 18.

Sir L. West to the Marquis of Salisbury.—(Received September 29.)

(No. 270.)

My Lord,

Washington, September 18, 1887.

WITH reference to my despatch No. 267 of the 15th instant, I have the honour to inclose to your Lordship herewith copy of the note of the Secretary of State, acknowledging the receipt of my communication respecting certain points in Lieutenant Schwatka's Report, and in which your Lordship will perceive that the term "alleged" British territory is used.

I have, &c.

(Signed) L. S. SACKVILLE WEST.

Inclosure in No. 18.

Mr. Adee to Sir L. West.

Sir,

Department of State, Washington, September 16, 1887.

I HAVE the honour to acknowledge the receipt of your note of the 14th instant, inclosing a Memorandum relative to certain points in the Report made by Lieutenant Schwatka, of the United States' army, of a reconnaissance made by him in Alaska, with regard to which you observe that he traversed alleged British territory for a considerable distance without any intimation having been given to the British authorities of his intention of so doing.

I have, &c.

(Signed) ALVEY A. ADEE, *Acting Secretary.*

CONFIDENTIAL.

(5774.)

PART III.

FURTHER CORRESPONDENCE

RESPECTING THE

BOUNDARY

BETWEEN THE

BRITISH POSSESSIONS IN NORTH AMERICA

AND THE

TERRITORY OF ALASKA.

1888.

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CONFIDENTIAL.

Further Correspondence respecting the Boundary between the British Possessions in North America and the Territory of Alaska.

PART III.

No. 1.

Sir L. West to the Marquis of Salisbury.—(Received January 30.)

(No. 20.)
My Lord,

Washington, January 20, 1888.

I HAVE the honour to transmit to your Lordship herewith copies of the Report of the Governor of Alaska for 1887.

On p. 10 it is pointed out that the recent discoveries of gold on the tributaries of the Yukon are likely to result in serious complications if the demarcation of the boundary-line between Alaska and the British possessions is further delayed.

I have, &c.

(Signed) L. S. SACKVILLE WEST.

Inclosure in No. 1.

Extracts from "Report of the Governor of Alaska for the Fiscal Year 1887."

Sir,

Sitka, Alaska, October 1, 1887.

IN obedience to the requirements of section 2 of the Act creating a civil Government for Alaska, approved the 17th May, 1884, and the further request of the honourable Secretary of the Interior, I herewith submit "A Report of the Affairs and of the Progress and Development of the Territory for the Year ending the 30th June, 1887." In doing so, however, I have found it necessary, in order to lay before the Department a reasonably accurate statement of the commerce and productive industries of the territory, to include the time intervening between the close of the fiscal year and the date of this Report, it being otherwise impossible to present such facts and figures as will be fairly indicative of the progress which is being made in the way of substantial development. In this connection I am compelled to say, even at the risk of being set down as an inveterate fault-finder, that in this the third year of my administration of affairs in this territory, I labour under the same disadvantages complained of in my first Report—the total absence of direct means of communication with any part of the territory committed to my executive charge save that known as the south-eastern section, and which constitutes less than one-twentieth of the whole.

Early in February last I was informed, through the Department, that it was the intention of the honourable Secretary of the Navy to detail Lieutenant W. H. Emory "for service with the United States' steamer 'Thetis' in Alaskan waters," with instructions to "co-operate with the civil Government, and with the Governor, and aid him by furnishing transportation where required;" and I was given to understand that the ship would be here in ample time to enable me to comply with that provision of the organic Act which makes it my duty to "inquire into the operations of the Alaska Seal and Fur

Company" (Alaska Commercial Company?), and also to visit various other sections of the territory over which it has thus far been impossible to extend the authority of the civil Government. The hope thus inspired, I regret to say, has not been realized; and, owing to the non-arrival of the "Thetis," I am still unable to make a Report, based altogether upon personal observation and knowledge, of the "resources, industries, population," &c., of any other part of Alaska than the comparatively small section alluded to, and which is known as the south-eastern division. I have, however, been able to glean considerable information of value concerning the more remote sections of the territory from sources I deem altogether trustworthy and reliable, which I give in connection with such facts and figures relating to the south-eastern section as are within my own personal knowledge.

Population.

The white population of Alaska is principally confined to the south-eastern section—that part which embraces the so-called "30-mile strip" of mainland lying in front of the British possessions, and extending from Dixon's Entrance to Mount St. Elias and the islands of the Alexandria Archipelago—a geographical division which covers an area of only 29,000 square miles out of a total of 581,000 claimed for the whole territory. I am very reliably informed, however, that the white population of the western and south-western sections is much larger than has heretofore been represented; but having no means at my disposal with which to defray the cost of securing a reasonably accurate enumeration, even in the most accessible parts of the territory, I can do no more than give what I consider a reliable and altogether conservative estimate of the population, taking the incomplete census of 1880 as the basis of calculation. I think it perfectly safe to estimate the increase in white population at not less than 50 per cent. as compared with the figures given in my last annual Report.

The inauguration of new mining and fishing enterprises on the mainland and islands to the westward, of which mention will hereafter be made, has more than doubled the white population in that direction; and while the same may be said of the Harris (Juneau) mining district, not less than 350 white miners have made their way to and located, at least temporarily, on the headwaters and tributaries of the Yukon River, where some very promising placer mines were found and worked during the past summer.

Since my last Report the Rev. William Duncan, the Episcopal missionary, whose successful work among the Indians of British Columbia had become a matter of world-wide notoriety, in that he not only converted to Christianity the savage people among whom he went to carry the Gospel some twenty or thirty years ago, but actually founded and built up a flourishing village with a population of nearly, if not quite, 1,500 educated Christian natives, with all the trades and industries which usually are carried on in civilized communities, has removed his people, with all their industries, into Alaska, settling them at Port Chester, Annette Island, where he has founded the new town of Metla-Kahtla. These people are all more or less educated, naturally intelligent, well-behaved and industrious, and will make excellent citizens. The immigration of this people adds at least 1,000 persons to the civilized population of the territory, and it is expected their number will be largely augmented by the influx of many other British Columbia natives who are desirous of joining Mr. Duncan in his new home.

From all the information at hand, I estimate the population of Alaska to be about as follows:—

Whites	..	..	..	..	..	..	..	5,000
Creoles (practically white)	..	..	..	..	..	..	..	1,800
Aleuts	..	..	..	..	..	..	..	3,000
Natives (civilized and more or less educated)	..	..	..	..	..	..	..	2,500
Natives (uncivilized)	..	..	..	..	..	..	..	27,500
Total	..	..	..	..	..	..	..	39,800

While I am quite sure that I have not over-estimated the white population, I have simply taken the Creole and Aleut membership of the Greco-Russian Church in Alaska, as given me by the archpriest in charge of the diocese, as representing the whole number of those people living in the territory. The uncivilized population, in the absence of an enumeration, can only be guessed at, and I have therefore adopted, in round numbers, the incomplete count made by Petroff in 1880, taking it for granted that there are full as many natives in the territory now as were actually counted six years ago.

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Stock-raising.

Nothing has yet been done in the way of stock-raising, for which, in my opinion, some parts of the territory are specially well adapted. There are no cattle in south-eastern

Alaska, save a few horses, mules, and pack-animals, with here and there a few milch-cows, all of which, however, seem to thrive well on the abundant pasturage, which continues green and succulent during at least nine months of the year. Indeed, the winters of south-eastern Alaska, of Kadiak, and the Aleutian Islands being very much milder and more equable than those of Montana, Wyoming, and Dakota, it is safe to say that cattle can be permitted to run at large and subsist themselves during the whole year with less loss than in the territories named. In most parts of the territory, even as far north as Kotzebue Sound, there is an abundant and luxurious growth of grasses, principal among which are the Kentucky blue-grass, blue-joint, and wood-meadow grass, which will not only furnish the best pasturage, but from which an abundance of fodder can be cured with which to feed an unlimited number of cattle during the short winter seasons, which are the rule along the south-eastern coast and on the islands. Indeed, there is no reason why cattle may not be kept in numbers sufficient to the wants of any probable population in most parts of the interior, and particularly on the Upper Yukon, where there is promise of large mineral developments in the near future, if properly sheltered during the winter; all accounts agree as to the abundance of grasses for summer pasturage and fodder for winter feeding. The comparatively few cattle in south-eastern Alaska, on Kadiak and the Aleutian Islands, thrive well and fatten quickly, the beef being remarkably tender and well flavoured, while the rare and excellent quality of the milk and cream elicits the praise of all who visit Kadiak and the islands to the westward.

With all its advantages in the way of abundant and luxuriant grasses, of innumerable islands upon which thousands of cattle could be kept without expense for herding or fencing, of a much more favourable climate than that of some of the territories, where millions of dollars have been invested in the business, I do not, however, anticipate any development of this one great source of wealth until, by the establishment of necessary mail-routes, the different sections of the territory are brought into closer relations with each other and with the business centres of the Pacific coast at least. The existing monopoly in the carrying trade, for which the Government is wholly responsible, in that it has farmed out one of the chief industries of the territory to a giant Corporation, which thus far has succeeded in defeating nearly every proposed act of legislation calculated to insure the settlement and development of Alaska, thus placing all that part of the territory not held within its own relentless grasp at the mercy of another greedy and insatiate Corporation, precludes the hope of any very rapid and substantial development of Alaska's many natural resources other than mineral, and even in that the hardy pioneer is obliged to meet and contend with obstacles for the removal of which we can only look to Congress through such legislation as will place Alaska on an equal footing with the other territories. It is idle to expect the investment of any considerable amount of capital in the development of the resources of a territory having a semblance of local government only, and in which would-be settlers and investors are denied the privilege of buying and paying for the lands they wish to occupy and improve. On the other hand, as soon as Congress shall conclude that there are indeed here in Alaska all the natural elements essential to the growth of a rich and prosperous State, and acting upon that theory shall conclude to enact such legislation as will encourage and promote their development, then, and not till then, may we look for the dawn of that era of prosperity which should have followed close after the transfer of the territory from the Russian to the American Government, which will populate Alaska with a hardy, industrious, enterprising people, dot her main and island coasts with thriving villages, towns, and cities, the outcome of which will be the development of natural resources that will make of her in substantial and enduring wealth what she now is in the extent of her broad domain—a mighty Empire within herself.

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In my last Report I referred very briefly to the reported discovery of rich placer diggings on the Stewart River and headwaters of the Yukon. These discoveries being in the British north-west territory, I did not consider it any part of my duty to inquire particularly into the facts concerning them, notwithstanding the knowledge that the only practical route to that section was through Alaskan territory. A year, however, has put a different aspect on mining affairs in that quarter. Between 300 and 400 miners made their way across the "divide" to the Upper Yukon last spring, some of whom have returned with the report of rich placers on the Shitando River, or, as the miners themselves have named it, "Forty-Mile Creek."

Most of the returned miners with whom I have conversed brought with them substantial evidence of the truth of their statements as to the existence of gold in paying quantities in the bars and gravel deposits of the river named; but a few who were unfortunate in finding the precious metal naturally do not speak in the highest terms of the

country which the others denominate a new El Dorado. It is noticeable, however, that the enthusiasts are, without exception, old and experienced miners, while those who decry their statements are just as generally men who never had much experience in placer mining, and perhaps still less in "roughing it" in a country wholly new and unsettled.

The weight of testimony is largely in favour of the belief that there is an abundance of gold in that section. Indeed, the more experienced and intelligent miners who have been there and returned, and with most of whom I have conversed, express the opinion that there is an endless amount of gold along the Yukon and on its tributaries, and more especially on the Shitando River, from the gravel bars of which it is estimated at least 100,000 dollars was taken out last summer. This river is one of considerable size, and has been prospected for a distance of 100 miles from its mouth, the first gold being found a few miles above its confluence with the Yukon. The first discovery on this stream was made by a miner named Franklin late last fall, and the fact that coarse gold had been found on the Shitando being reported to the miners who were wintering on Stewart River, as well as to the hundreds who subsequently crossed the divide, the scene of active operations was at once transferred from the latter to the former stream—from British to American territory. It is to be presumed, in fact it is so stated by the miners, that more time was spent during the summer in prospecting for gold than in actually washing it out.

The miners would not work a bar that paid less than 10 dollars per day to the man, and whenever one of them found his ground was not yielding him that amount he would leave it and prospect for something richer. The rocker was the only method of washing employed, and operations were wholly confined to ground close to running water, for the reason that the gravel farther back was invariably found covered with moss and frozen solid down to bed-rock. It is believed, however, that this moss, which becomes very dry in summer, can be burned off, and that the gravel, when exposed to a scorching Arctic sun, will readily thaw out. Should this be the case, it is the opinion of the miners with whom I have conversed that a vast amount of gold can be taken out every season for a number of years to come, and that very much of the ground that has been passed by as not rich enough to pay, using the rocker only, can be made to yield hundreds of thousands of dollars by sluicing. Altogether, I cannot resist the belief that the auriferous gravel beds of the Yukon and its tributaries are of vast extent, and capable of affording profitable employment to thousands of hardy miners for many years to come.

The gravel deposits are by no means confined to the Shitando River. I hear of discoveries all along the Yukon, between the Shitando and Tananah, and on the latter stream, where men have rocked out from 10 dollars to 20 dollars per day. One party found good pay ground on Arctic Circle Island, about midway between the deltas of the two rivers last named, and which are not less than 750 miles distant from each other. There are hundreds of streams between these two points heading in the mountains and falling into the Yukon, which have never been prospected; and it is the belief of many that the recent discoveries are only indicative of the existence in the mountains and valleys of the great river of the most extensive and prolific gold-fields the world has ever known.

Where does the gold found in the gravel beds and bars of the Shitando and other tributaries of the Yukon come from? Manifestly it can come from no other source than rich quartz veins in the mountains where it was originally embedded, and from whence it has been worn out by the action of the weather, water, and ice, and by such agents carried down and deposited where it is now found. Perhaps the most efficient agents have been the glaciers, which are simply great rivers of ice, moving slowly but surely and irresistibly, grinding up the rocks and carrying the sands, gravel, and boulders down into the gulches and streams, finally depositing them wherever the ice melts. Certainly, upon no other theory can we account for the auriferous sand dunes of the north Pacific coast in the region of the great glaciers.

These glaciers flow from the mountains of the interior to the sea, reaching which great masses break off, and melting in the warm waters of the ocean current drop their freight of golden sands which by the action of the waves are again washed back upon the shore. All the conditions essential to such a theory exist in the Yukon country, the glaciers are there, and it requires no great stretch of the imagination to see immense blocks of ice swept down by the mountain torrents, melting beneath the rays of the noontide and midnight sun in the gulches and valleys where they have found a lodgment, for the accounts all agree that while the winters in the Yukon region are extremely cold and rigorous, the summer's heat is well nigh intolerable.

There being no doubt as to the source of the auriferous sand and gravel deposits

found in her streams, valleys, and gulches—and I have yet to hear of a stream being prospected which did not yield at least the colour of gold—with developments on the Shitando and elsewhere which give abundant assurances of the existence of almost unlimited gravel beds containing the precious metals in paying quantities, who shall attempt even a guess at the measure of Alaska's golden harvest when the great fountain head of it all shall have been found and utilized, as sooner or later it will be.

I hear of coal being discovered at various points in the territory, but as yet no substantial progress has been made in the way of developing any of the seams, if we except the one 'opened by the Russians at Cook's Inlet some years before the transfer, and from which enough coal of good quality was mined to supply the Russian-American Company's steam-ships with fuel. I have heretofore mentioned the opening of a vein of coal at Cape Lisburne, in the Arctic. I am informed, how truthfully I cannot say, that whalers in the Arctic not infrequently mine coal from this seam for their own use, and report it well adapted for steam purposes.

A vessel master who has sailed for years in Alaskan waters has offered to show me a 7-foot vein of coal, which he says is superior to that of Vancouver Island, whenever I am ready to furnish the necessary transportation and accompany him. He says the coal is immediately on the shore of a safe and commodious harbour, and knowing him to be a reliable man, I am inclined to place considerable confidence in his statements. There is certainly an abundance of coal in the territory, but its quality is a mooted question which can only be determined by the expenditure of a sufficient amount of capital to open up one or more of the veins, and thus secure a practical test of other than that part of the seam which has long been exposed to the action of the elements, and never subjected to any considerable pressure. Miners down from the Yukon tell me of a seam of bituminous coal, 20 feet thick, on a small stream which empties into that river about 10 miles below the mouth of the Shitando, and which they say burns well, leaving an apparently small percentage of ash. They say that for a distance of 2 miles the bed of this stream is in solid coal. Some effort is being made to open a mine near Killisnoo, but the seam is small, and unless something better is found, by sinking or drifting, the enterprise must necessarily be abandoned. On the whole, I have little doubt but the coal measures of Alaska will, in time, assume a position of considerable importance in connection with the fuel supply of the Pacific coast.

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Fish and Fisheries.

In my last annual Report I estimated, on the strength of information then at hand, the value of the salmon, cod, and halibut catch of the territory in 1886 (including oil), at 725,000 dollars, making no mention whatever of the whale fisheries. Soon after that Report was forwarded I learned from authentic sources that the value of the salmon actually shipped in that year from the canneries at Karluk (Kadiak Island), on Cook's Inlet and Bristol Bay alone, was considerably in excess of the amount at which I had estimated the whole catch of the territory. Since then several large new salmon canning and salting establishments have been started in various parts of the territory, so that there have been in operation the past season—some of them very large with packing-houses in connection—nine canneries and seven salting-houses independent of the canneries. From the information at hand, mostly reliable, I estimate the output of canned salmon the present year at not less than 240,000 cases of four dozen one-pound tins each, or 11,520,000 pounds, and the salted salmon at 14,000 barrels, the total market value of which will amount, in round figures, to 1,800,000 dollars. To this must be added the product of the whale fisheries, which last year amounted to 600,000 gallons of oil, worth 150,000 dollars, and 250,000 pounds of bone, valued at 750,000 dollars. My information is to the effect that about thirty whaling vessels have been in the Arctic this year, and that the catch will equal if it does not exceed that of last season. The annual catch of cod amounts, as nearly as I can ascertain, to about 5,000,000 pounds, of the value of something over 200,000 dollars.

Adding to this the value of the halibut caught and sent away, and of the refined oil made from herring at Killisnoo, say 100,000 dollars, and we have 3,000,000 dollars as representing the market value of Alaska fisheries the present year.

The salmon-canning and packing establishments are located as follows:—Klanak Tongass Narrows, Loring, Burroughs Bay, Yes Bay, Wrangell, Red Fish Bay, Chilcat, Killisnoo, Sitka, Cook's Inlet, Bristol Bay, and Karluk; the principal cod-fishing stations are at Pirate Cove, Unga Island, and Sandy Point, Popoff Island. There are nine canneries, two of which put up clams, which are very plentiful all along the south-eastern coast. The salmon streams and cod banks are but just beginning to attract practical attention, comparatively few of the former having, as yet, been utilized, while it is my belief that the

latter, given advantage of low freights to the East, would soon exceed in value and importance the famous banks of Newfoundland.

Some idea of the importance the cod and salmon fisheries of Alaska are likely to attain in the not very far distant future may be gathered from the truthful statement that the whole coast, from Dixon's Entrance on the south to and beyond Behring's Straits on the north, including the islands with a sea-frontage of 25,000 miles, is one great reservoir of fish. They are, seemingly, to be found anywhere and everywhere in Alaskan waters. The creeks and rivers literally swarm with salmon during the spawning season. They are the commonest kind of diet with the natives, who depend largely upon dried salmon for their winter supply of food, and they can always be had for the taking.

I have seen over a thousand salmon, of the average weight of 10 pounds each, taken at a single haul of the seine right here in Sitka Bay, the waters of which, and the streams putting into it, have been fished every year for centuries.

The mail-steamers last summer, during the spawning season, stopped regularly at Tongass Narrow, for no other purpose than to permit tourists to see the myriads of salmon making their way up an adjacent stream and leaping the falls, a spectacle truly wonderful to those not conversant with the fact, that there are hundreds of other streams in Alaska compared to which the one in question sinks into utter insignificance in respect to the number and size of the fish that throng their waters. From the smallest stream to the mighty Yukon, in every bay and inlet, the salmon is found, improving in size and excellence of flavour the further north you go. In south-eastern Alaska they do not average in size more than 10 lbs.; at Bristol Bay and Cook's Inlet the average is nearer 40, and, I have heard it stated, as high as 60. An officer of one of the revenue steamers assures me that he has seen salmon taken at Cook's Inlet, two of which filled a barrel with the salted article, and I have the best of authority for asserting that they are found of still larger size in the Yukon. All accounts agree in the statement that the numbers of these fish that ascend the Yukon every spring and summer are simply fabulous. Dall, who spent two or three consecutive years on the lower Yukon, says that not less than 2,000,000 salmon, and probably double that number, are caught and dried every summer at its mouth by the natives, and that he has seen "the weak and injured fish, which die often spawning, piled three or four deep in winnows, on the banks of the Unalaklik River," which empties into Norton Sound, some distance above St. Michael's.

There are no salmon-canning and packing establishments beyond Bristol Bay, though there are many streams between that and the Polar Sea, and some emptying into the bays and sounds of the latter which might be utilized, while comparatively few of the available stations on the south-eastern coast have as yet been occupied. Taking the output of the few canneries and packing-houses already established as an indication, I am not prepared to dispute the proposition I have often heard advanced, that Alaska is capable of supplying the world with salmon. It is doubtful, however, if the proposition will hold true, unless measures are taken, if, indeed, it be possible, to prevent the wholesale slaughter of these fish which is now going on. Of course, it is understood that there are several varieties of the salmon, some of which are unsavoury and unfit for food; then, again, there are different kinds that are palatable, the only perceptible difference being in the colour of the flesh. The opinion seems to have obtained among consumers that none but the red salmon are fit for table use, and this prejudice has grown so strong and widespread that it is difficult to sell any other at a price that will afford the smallest margin of profit.

At one of the salmon-fisheries visited during the season I found them throwing away thousands of fish, between which and those that were saved I could distinguish no difference whatever, but on inquiry was told that they were "off colour." Asking a further explanation, I was informed that there was no difference whatever in the flavour of the fish; that those thrown away were just as good and edible as those that were being salted, but that consumers would have to be educated up to that fact before it would be possible to find a market for them at almost any price, however small. I should judge that at the fishery referred to, at least three salmon were being killed to every one cured, and I am told that is the rule, rather than the exception, at all the fishing-stations in Alaska. There is no law to prevent this wasteful slaughter, nor do I pretend to say that it will be possible to regulate the prejudices of the vast army of salmon-eaters by legal enactment; nevertheless, I have deemed it my duty to call the attention of the Department to it, in the hope that some means may be devised to prevent the killing of three excellent food-fishes in order to supply an altogether too fastidious public taste with only one.

When the United States' Government purchased Alaska for 7,200,000 dollars, it did not, in my opinion, pay more than a fraction of what the territory would actually be worth were every other natural resource or element of wealth than its cod-banks wiped completely out of existence. I make this assertion with the full knowledge that it

is more than likely to subject me to the ridicule of those who cannot understand why this, together with the other great natural resources of the territory, after the lapse of twenty years, is still in the infancy of its development. Ever since the transfer, a studied and determined effort has been made to imbue the general public, as well as the Government, with the belief that there is nothing of value in Alaska save its fur-bearing animals. Agents of the Government, sent out to examine and report upon its resources, instead of honestly performing the service for which they were paid, have, in the interest of a Corporation into whose service they drifted from that of the Government, spread broadcast statements concerning the climate and undeveloped resources of Alaska which they knew were utterly false, but which, according with a pre-conceived public opinion born of ignorance, were generally accepted as true. It has taken long years of patient and persistent endeavour on the part of the true friends of Alaska to even partially dispel the erroneous idea thus imposed upon the public mind, but despite the efforts of her detractors to prevent it, she is gradually but surely emerging from the long night of misrepresentation into the dawn of a permanent and glorious prosperity.

One of these paid libellers of Alaska, who has lately issued an elaborate and graphically illustrated work of nearly 500 pages, in which he "damns with faint praise" everything in Alaska he does not utterly condemn, save and except, always, the one monopolized industry he is paid to screen, in so far as he may be able, against the searching light of truthful inquiry, not long ago semi-officially announced that he had "learned enough of the country and climate to know that the fishing waters now occupied by the natives of Alaska will never be objects for the cupidity of our people." And in an official Report to the Secretary of the Treasury, the same individual, while admitting the existence of immense cod banks in the waters of Alaska, asserted that the "quality of the Alaskan cod is much inferior to our eastern fisheries," and that "the quantity and quality are insufficient, in a business point of view, provided even the demand was always equal to the supply." With such statements, bearing the impress of official sanction, spread broadcast through the country, it is not a matter of much wonder that the fishing interests of Alaska are but just beginning to be appreciated as of large commercial importance, that the belief still obtains in many quarters that her cod banks "are not valuable enough to induce capitalists to engage in taking and curing the fish for exportation."

Against the assertions of this paid emissary of the incorporated enemy of Alaska and her best interests, I will simply refer to Professors Jordan and Bean, of the United States' Fish Commission, who, after careful investigation, have not been able to detect any perceptible difference between the Alaskan cod and those of the North Atlantic. The immense extent of the banks is conceded, even by those who decry the quality of the fish.

They are found around the whole south-eastern shore and in the innumerable waterways of the Alexander archipelago. The entire shore, for a distance of 600 miles north-west from Sitka, is an almost continuous cod bank. They abound in Cook's Inlet, Bristol Bay, and all along the Aleutian chain, the famous Shumagin banks being of sufficient extent to afford employment to thousands of fishermen. The whole eastern part of the Behring's Sea is a submarine plateau, where soundings of not over 50 fathoms are found over an area of nearly 20,000 square miles. Indeed, as I have said, the whole coast of Alaska, extending from Portland Canal on the south to Behring's Straits on the north, including the waters adjacent to the Aleutian Islands, is one grand and inexhaustible reservoir of food fishes, principal among which is the cod.

Such being the fact as to quantity, if any better evidence than that of Professors Jordan and Bean is wanted as to quality, it can be found in the growing demand for Alaskan cod, which is every year calling for the employment of more vessels and a larger number of men in the business of taking and curing them. Nor is it true, as I have seen it stated in the public prints, that there is no deep-sea fishing in Alaskan waters. The smaller cod are found in the shallower part of the banks, but the best fisheries are farther out and in water from 70 to 90 fathoms deep, where fish weighing from 25 lbs. to 40 lbs. are the rule rather than the exception. It is true, however, that most of the fishing at present is carried on in shallow waters, for the reason that it is less expensive and not nearly so laborious, the schooners engaged in the business being employed entirely as carriers of the catch, which is made by dories, boats, and canoes that are too small and frail to venture far from shore. It is only a question of time when the deep-sea fisheries will be utilized by those who prefer the larger fish, though, I am assured, they are only preferable because of the difference in size.

There is another point in connection with the cod banks of Alaska which should not be overlooked. The facilities for carrying on the business are far superior to those of the North Atlantic coast. The banks are all within easy reach of safe and commodious harbours, while they are not more distant from San Francisco or Puget Sound ports than

are those of the North Atlantic from Boston and Portland. In view of all these facts, I think I am fully warranted in the conclusion that all that is wanted is a market and a demand for fish to whiten the vast cod banks of Alaska with the sails of fishing craft of every description. The time is coming when the fishermen of the East will turn their attention to the safer and more prolific waters of the North Pacific, and when, with low freights to the East, the cod-fisheries of Alaska will bid successfully for a market as far east, at least, as St. Paul and Chicago.

Another excellent food fish found in great abundance in Alaskan waters is the halibut. They are found and can be taken in great numbers all along the southern coast, the sizes ranging from the "chicken" halibut to those weighing 300 lbs. to 400 lbs. They are of fine flavour and excellent quality, and I can see no good reason why they may not ere long take a prominent place in the list of exports from the territory. They now form a very important and desirable part of the domestic food supply. Some are cured each year at Killisnoo, as also a few tons of cod, but only as a sort of side issue, the business of the Company there being the extraction of oil from herring. One fisherman here at Sitka salted about 125,000 lbs. the past season for a San Francisco firm, and I happen to know he could have secured 1,000,000 lbs. could he have been assured of a market. His catch was all made by the natives, and could not have cost him to exceed 1 cent a lb. delivered at the packing-house. As with the cod, nothing is wanting but a market to make the Alaskan halibut the basis of a large and more or less lucrative business.

The herring, which Dall says resembles those of the North Sea of Europe, are not less plentiful than the cod and salmon. They are found all along the southern coast, arriving sometimes as early as the middle of April, and remaining several weeks. They come in incalculable numbers, and here at Sitka throng the waters to such an extent that the natives not only take all they want by the simple means of an oval-shaped stick with 3 or 4 sharpened nails in one end, but likewise secures tons upon tons of the roe without killing the fish. Herring roe is to the native Sitkans what the shad roe is to the dwellers on the Susquehanna and the Potomac—it is a very important part of their winter diet, as well as a luxury, and their mode of securing it is very simple. Lashing a lot of hemlock boughs to lines of suitable length, one end of a line is made fast to the prow of a canoe, and the other to the stern, and given sufficient slack to bring the boughs 2 or 3 feet under water. Thus equipped, the native paddles out to the herring grounds, which are here co-extensive with the whole of Sitka Bay, drops his line of boughs over the side of his canoe, and, whiling away an hour or two, possibly dreaming what the harvest will be, pulls them up coated an inch thick with the coveted spawn. Taking the boughs ashore they are hung up or spread out in the sun for the roe to dry, after which it is stripped off by the women and put away in oil for future use. I only refer to this native mode of securing the roe as being indicative of the abundance of herring in these waters. They are considered by many an excellent pan fish, but to my mind they are too fat, and are not likely to be ever largely utilized save for the oil.

At Killisnoo, about midway between Sitka and Juneau, is the fishery and oil works of the North-west Trading Company. What is called the lagoon at this place—a lake into which the sea flows at high tide—is a favourite resort for the herring. They usually put in an appearance from the 1st to the 15th August, and the fishing lasts till late in December. The Company employs two tugs and several scows in the business, and all the fishing is done by steam. An immense "purse-net" is drawn by the tugs until it is completely closed at the bottom and on the sides, leaving an opening at the top through which the fish are lifted out by means of a dip-net operated by a steam-crane. As many as a thousand barrels are not infrequently taken at one haul of the net, the catch during the season of 1886 amounting to over 100,000 barrels, which yielded about 400,000 gallons of oil. This oil is pressed at a temperature of 12°, is perfectly pure, and I am not sure that some of it is not now making its way in the public favour as a very superior article of the extract of olive. As I have already stated, this Company does something also in the curing of cod and halibut, and also salts the few salmon that are incidentally thrown in the way of its regular business. It has built up a considerable village, and gives steady employment to a large number of natives. It has an extensive plant, and has invested a large amount of money in improvements upon land to which it has no title. But in this regard it has no more to complain of than the many others who are building homes and setting up business enterprises on lands they are denied the privilege of buying and owning.

While I am not prepared from my own personal knowledge to corroborate the statement credited to Professor Bean, of the Smithsonian Institute, that there are seventy-five species of food fishes to be found in Alaskan water, I know that there are many others than those I have named as of chief commercial importance. Among them may be named

a yellow fish closely resembling the Spanish mackerel, which is found in great abundance around the Aleutian Islands, and which I believe would find a ready sale when cured. The whitefish abounds in the rivers and inland lakes, and in time will, without doubt, constitute an item of considerable importance in the political economy of the territory. The salmon-trout is also very plentiful in many of the lakes and streams, while some of the inland waters are full of pike, grayling, and blackfish. Indeed, I am inclined to believe that when the whole truth is known it will be found that Professor Bean has not enumerated half the species of food fishes existing in Alaskan waters, none of which have ever had more than a partial examination, while the piscatory resources of many of the rivers and inland lakes are as yet practically unknown.

Commerce.

The commerce of Alaska is at present such only as grows out of and is intimately connected with its fisheries, fur trade, and mining interests. Its extent may be inferred from the following carefully estimated statement of the market value of the products of her several industries the present year:—

							Dollars.
Fur trade .. ..	..	..	..	..	..	..	2,500,000
Gold (bullion and dust)	..	..	..	..	..	..	1,350,000
Fisheries .. ..	..	..	..	..	..	..	3,000,000
Lumber and ivory ..	..	..	..	..	..	..	100,000
Total .. ..	..	..	..	..	..	..	6,950,000

The indications are that the output of gold will be trebled, if not quadrupled, the coming year, while there is every prospect that a large amount of capital will be added to that already employed in the fisheries. The fur trade is at its maximum, and aside from the fur-seal industry may be expected to diminish in volume just in proportion to the development of the other natural resources of the territory.

Undeveloped Resources.

Practically, the natural resources of Alaska are in the infancy of their development; in fact, all her elements of wealth, aside from the fur trade, can more properly be written of under this caption than any other. At least nine-tenths of her gold bullion this year came from her one developed mine of mineral-bearing quartz, which is now being supplied with mill facilities that will enable it to more than double its annual product of precious metal. The mineral-bearing belt or ledge in which this mine is located gives certain promise of the speedy development of a number of others equally as large and productive, while from all parts of the territory come reports of valuable discoveries, both of gold and of silver. The prospective wealth of Alaska's almost interminable forests of spruce-pine, cedar, hemlock, &c., can scarcely be over-estimated; in time there will come an agricultural and horticultural development that will put to shame the oft-repeated assertion of her detractors, that "no crops can be grown in Alaska;" her grazing lands will be utilized to the extent at least of supplying a home market, no matter what proportions it may assume, with the choicest beef; her fisheries are practically inexhaustible, while in her shaggy-breasted mountains will be found nearly every variety of mineral adapted to the wants of commerce or the uses of mankind. With at least the colour of gold in the bars of her every creek and river, and in the sands on the shores of her extensive coast-line, washed down from the "mother lodes" located in her towering mountain ranges, with her coast and inland waters, from the southern boundary of the Polar Sea, swarming with numerous species of the best food fishes, her illimitable forests of valuable timber, her great seams of coal, mountains of iron, and wide area of grazing lands, who shall undertake to definitely estimate or limit the value of Alaska's undeveloped resources?

* * * * *

Condition of the Natives.

In south-eastern Alaska the natives are largely employed by the white people in various kinds of work, and generally receive fair wages. They are not only a provident and self-sustaining people, but to a large extent ambitious of bettering their condition by adopting civilized ways of living, and providing for the education of their children. As fast as they can accumulate the means they tear down their old houses and build new ones of more modern style. One of these, recently completed by a native at Wrangell, is the finest and most pretentious private residence I have seen anywhere in the territory. But for the chronic diseases prevalent among them, and for the eradication of which, in my

opinion, some effective steps should be taken by the Government, they would be generally a happy, contented, and progressive people, not more than one or two generations distant from intelligent and useful citizenship.

* * * *

International Boundary.

Serious complications are likely to grow out of a further delay by Congress to provide for a joint survey and definite location of the boundary-line between Alaska and the British possessions. The line described in the Treaty of Cession is the same as that fixed by Convention between Russia and Great Britain in 1825, and is altogether vague, indefinite, and liable to misconstruction.

The recent discoveries of rich placers of gold on the Shitando River, and other tributaries of the Yukon, are likely to attract thousands of miners to that region in the near future. All the charts and maps I have seen locate the whole of the Shitando River in Alaska, but I am reliably informed that a Mr. Ogilvie, sent out last spring by the Dominion Government to make a preliminary survey of the boundary-line, claims that it is in British territory, and has broadly hinted that on the strength of his Report to that effect his Government will attempt the collection of the miner's licence provided for by the Dominion Law. Any attempted exercise of dominion authority in that particular section will be resisted by the miners now here, most of whom are American citizens, not at all disposed to tolerate the least interference until the boundary-line is definitely determined by the joint action of the two Governments.

Though this new and very promising gold-field can, and ultimately will, be reached by steamer from the mouth of the Yukon, the present travelled route is principally through British territory. The miners going there leave tide water at the head of Dyah Inlet and make their way over the mountains to a chain of lakes, which, together with the connecting rivers, they traverse in boats to the Yukon. The Dominion Government has granted a concession for a toll-road or pack-trail over that part of the route within its territory, and application will be made to Congress for a Charter for a similar trail on the American side. As no subsidy of any kind will be asked for, only the right to collect fixed rates of toll being desired, I venture to ask for the application prompt and favourable consideration. It seems to me Congress ought not to hesitate in according prompt action, in view of the fact that the Charter, if granted, will devolve no expense upon the Government, while, on the other hand, the projected improvement is one calculated to greatly facilitate the development of the mineral resources of the territory.

* * * *

Unless much better facilities are provided, with the better means of transportation which will naturally follow, a steamer for the use of the officials will be indispensable to the administration of the civil Government and the enforcement of law and order in many portions of the territory now wholly inaccessible. Indeed, in all save south-eastern Alaska the civil Government provided for by the Act of the 17th May, 1884, is the veriest myth, and must necessarily remain so until mail communication is established, or those charged with the duty of administering it are furnished with some kind of safe and reliable transportation. In all the more remote sections of the territory, the law prohibiting the importation and sale of intoxicating liquors and breech-loading fire-arms is openly violated; crimes, including murder, are committed with impunity, and there is no punishment for the offenders, for the simple reason that the officials are not provided with the means necessary to put the law in force. Either the civil authorities should be furnished with transportation, or else be held blameless for the non-enforcement of law and order in localities they are unable to reach for the want of it.

The disadvantages under which the authorities of the civil Government labour for want of proper facilities with which to discharge their duties are none the less conspicuous in the Customs service of the territory. By Act of Congress the entire territory of Alaska is constituted a collection district for Customs purposes, with the port of entry at Sitka. By authority of the Treasury Department, sub-ports have been established at Tongass, Wrangell, and Juneau, in south-eastern Alaska, and at Kodiak, on the island of that name, and at Ounalaska, in the Aleutian chain. Throwing out of the computation the Arctic coast from Behring's Strait to Point Barrow as beyond the confines of commerce, the coast-line, direct from Tongass to Behring's Strait by way of Kodiak and Ounalaska, exceeds 3,000 miles, and following the navigable estuaries and indentations is not far short of 10,000 miles in length. In addition to the duties imposed by the revenue and navigation laws the Collector of Customs and his subordinate officers are charged with the duty of enforcing the laws against the taking of fur-seal and other fur-

bearing animals, and also the laws concerning the importation and landing of intoxicating liquors and breech-loading arms and ammunition within the district. Yet the Collector is not provided with any means whatever of water patrol or transportation, and there is not even a row-boat under his control. With a district bounded on one side by a foreign country, with such an enormous coast-line, its waters open to the navigation of the world, and no facilities whatever for patrolling its coast, it need occasion no surprise that the Government is frequently defrauded of its revenue, and that the laws are violated with impunity.

One who has never visited this coast can form but a meagre conception of the number of hiding-places the innumerable bays, coves, and channels afford, especially to small craft engaged in illicit traffic. Fort Simpson, British Columbia, affords a convenient base from which to operate, and the difference between the cost of British and American whiskies, arising from the internal-revenue tax, alone makes the business of smuggling one of great profit. The port of Tongass is adjacent to British Columbia, but is some 25 miles off the usual line of navigation; but were this otherwise the Customs officer at that place is powerless because of a want of transportation. Craft, therefore, laden with British goods and British liquors, pass into Alaskan waters without challenge or hindrance, and in some secluded cove turn their cargoes over to the Indian trader and return to Fort Simpson to repeat the experiment.

British vessels are also now regularly plying between Victoria, British Columbia, and Alaskan ports, more especially Juneau, and enter Alaskan waters without surveillance or examination until they reach their port of destination. The evils incident to the illicit traffic are growing in magnitude as the Settlements of the territory increase, but the Customs officers are powerless to prevent or remedy them. Without a water patrol a small army could not successfully protect this coast against the introduction of goods and liquors of foreign product.

The necessities of the Customs service absolutely demand that a good revenue-cutter like the "Rush" be assigned to this district, with head-quarters at Sitka, and the Government owes it to its own self-respect that better facilities be furnished the officials of the district with which to enforce the laws. That a good vessel can successfully cover south-eastern Alaska, and also attend to the sealing interests of the Government in Behring's Sea, has been demonstrated by the active movements of the cutter named during the past summer. In case such a vessel cannot be provided good steam-launches capable of making 10 to 12 knots per hour, and properly manned, should be stationed, one each at the ports of Tongass, Wrangell, Juneau, and Sitka, under the control of the Collector of the district. Until some such water-patrol is established Alaska will continue to be the objective-point for outlawry, and the smuggler will ply his vocation with little, if any, molestation.

No. 2.

Foreign Office to Colonial Office.

Foreign Office, February 2, 1888.

[Transmits copy of Sir L. West's No. 20, dated January 20, 1888: *ante*, No. 1.]

No. 3.

The Marquis of Salisbury to Mr. J. Chamberlain, M.P.

Sir,

Foreign Office, February 4, 1888.

IN compliance with the request contained in your telegram received to-day, I transmit to you a copy made from the original French text of the Convention between this country and Russia of the 16th (28th) February, 1825, as well as of the Russian ratification. I also inclose a copy of the certificate of exchange of the ratifications.*

These have been carefully compared with the original, and are in exact accordance with their text and punctuation, and are certified as being correct.

I am, &c.

(Signed) SALISBURY.

No. 4.

Colonial Office to Foreign Office.—(Received August 22.)

Sir,

Downing Street, August 21, 1888.

I AM directed by Lord Knutsford to transmit to you, to be laid before the Marquis of Salisbury, a copy of a letter from the High Commissioner for Canada, covering a communication from Sir J. A. Macdonald respecting a proposal to obtain from the United States' Government a concession of certain privileges on that part of Alaska which is claimed by this country.

Lord Knutsford desires me to suggest, for the consideration of Lord Salisbury, that the United States' Government might be informed that this report has reached Her Majesty's Government, and that it is presumed to be unfounded, as the territory in question is part of Her Majesty's dominions.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 4.

Sir C. Tupper to Colonial Office.

Sir,

9, Victoria Chambers, Westminster, August 1, 1888.

I HAVE the honour to ask that you will be so good as to move Lord Knutsford to bring under the notice of the Marquis of Salisbury the inclosed correspondence which I have received from Sir John A. Macdonald.

I add a Memorandum upon the same subject prepared by Major-General D. R. Cameron, R.A., C.M.G., who is familiar with, and has previously reported upon, the question of the British-Alaskan boundary.

I entirely concur in the great importance of protesting against the United States' contention.

I have, &c.
(Signed) CHARLES TUPPER.

Inclosure 2 in No. 4.

Sir J. Macdonald to Sir C. Tupper.

My dear Sir Charles,

Dalhousie, July 18, 1888.

I SEND you a note from Burgess, which speaks for itself. As Sir Lionel says that the Foreign Office disapproves of communications from Ottawa to Washington direct, perhaps you may think it well to call Lord Salisbury's attention to Burgess' suggestion.

Yours faithfully,
(Signed) JOHN A. MACDONALD.

Inclosure 3 in No. 4.

Mr. Burgess to Sir J. Macdonald.

Dear Sir John,

*Department of the Interior, Ottawa, Canada,
June 19, 1888.*

CAPTAIN MOORE, of Victoria, British Columbia, who was for some time a member of Ogilvie's expedition to the Yukon, has reported to the Government of British Columbia that he believes certain persons are about to receive a Charter from the Alaskan authorities to construct a trail from Lynn Canal by way of White Pass to the interior of Alaska. If our view of the case is correct, the entire route of this trail, as well as the trail by the Chilkoot Pass, is in Canadian territory. In view of the well-based contention on our part, that the heads of the larger inlets which penetrate that portion of Alaska which consists of the coast-line from Mount St. Elias to Portland Channel, and more particularly the head of Lynn Canal, are within our territory, it would appear to be important to protest against the granting of any rights by the United States or Alaskan Governments at the heads of these inlets.

Would it not be well to communicate confidentially with the British Minister at Washington, asking him to inform the Government of Canada in case he finds that either the United States or Alaskan authorities are granting or proposing to grant privileges of the kind mentioned?

You might, perhaps, think it proper to refer this matter to the Minister of Justice, who is well acquainted with the whole case.

Yours, &c.
(Signed) A. M. BURGESS.

Inclosure 4 in No. 4.

Memorandum.

BY way of Lynn Canal, of which the entrance is about 135° west longitude, 58° 20' north latitude, is at present the only practical route to gold mines being worked on tributaries of the Pelly River, some in British and some in United States' territory.

The northern extremity of Lynn Canal forks—the western and eastern branches being formed respectively by the inflow of the Chilkat and Chilkoot rivers.

The route hitherto followed by miners entering the country has been by the valley of the Chilkoot—across the height of lands called Perrier or Payer portage.

The ascent to the portage is extremely tedious, but once overcome, there is gained navigable water connected with the Pelly River and the Yukon River. Lieutenant Schwatka noted Perrier portage as the point at which the boundary between United States and British territory passed, the United States' territory lying seaward, the British territory inland. Lieutenant Schwatka had been employed to make a reconnaissance in Alaska, but finding that country most accessible through Lynn Canal continued his exploration down the Pelly River in British territory, until it passed the meridian of 141° west longitude into United States' territory. Lieutenant Schwatka's Report was published as a Congressional paper.

It is not known that there has been any other official claim to Perrier Pass as the point at which the international boundary runs.

From the ocean entrance to Lynn Canal, the head of boat navigation up the Chilkoot is about 80 miles; from this point to Perrier Pass is somewhat in excess of 30 miles, or 10 marine leagues.

Lynn Canal has water-ways of less than 6 miles in breadth at no great distance from its entrance.

It is contended on the Canadian side that the 10 marine leagues given as the maximum breadth of United States' coast territory in the second subsection of Article IV, Russo-British Convention of 1825, may not be measured from any point within an inlet not exceeding 6 miles in breadth, and that, consequently, it is not, under any circumstances, possible that the international boundary can be anywhere so far inland as Perrier Pass.

To avoid the inconvenience of the ascent to the Perrier portage, a diverging route called White Pass, a little to the eastward of Perrier Pass route, has recently been explored.

Speculators interested in the gold mines in the interior and in transit of miners and their goods have for some time had their attention turned to the desirability of opening up the White Pass route.

The greater part if not all of this divergent line is, it is contended, within British territory; and as affecting the principles which are ultimately to determine the whole of the British Alaskan boundary, as well as seriously affecting a British route which may hereafter, with advantage of the greatest importance, be opened through the Taku River Valley, it is submitted that the United States' contention should be emphatically protested against.

No. 5.

The Marquis of Salisbury to Sir L. West.

(No. 207.)

Sir,

Foreign Office, August 31, 1888.

WITH reference to your despatch No. 20 of the 20th January last, I transmit, for your information, a copy of a letter addressed to the Colonial Office by Sir Charles Tupper,

the High Commissioner for Canada,* inclosing a correspondence he had received from the Canadian Premier relative to a rumour that a Charter is about to be granted by the Alaskan authorities of the United States for certain privileges in that part of Alaska which is claimed by this country.

I have to request that you will inform Mr. Bayard that this report has reached Her Majesty's Government, and that it is presumed to be unfounded, as the territory in question is part of Her Majesty's dominions.

I am, &c.
(Signed) SALISBURY.

No. 6.

Foreign Office to Colonial Office.

Sir,

Foreign Office, August 31, 1888.

IN reply to your letter of the 21st instant, I am directed by the Marquis of Salisbury to transmit to you, to be laid before Secretary Lord Knutsford, a copy of a despatch to Her Majesty's Minister at Washington,† instructing him to call the attention of the United States' Government to the rumour which has reached the Dominion Government, of an intended grant of a Charter by the Alaskan authorities of the United States for certain privileges in that part of Alaska which is claimed by this country.

I am, &c.
(Signed) P. CURRIE.

No. 7.

Sir L. West to the Marquis of Salisbury.—(Received October 8.)

(No. 309.)

My Lord,

Beverly (Massachusetts), September 21, 1888.

WITH reference to your Lordship's despatch No. 207 of the 31st ultimo, I have the honour to inclose herewith to your Lordship copy of a note which I addressed to the Secretary of State, as well as copy of his reply thereto, on the subject of a Charter which it is said is about to be granted by the authorities in Alaska for certain privileges in territory claimed by Great Britain.

I have, &c.
(Signed) L. S. SACKVILLE WEST.

Inclosure 1 in No. 7.

Sir L. West to Mr. Bayard.

Sir,

Beverly (Massachusetts), September 10, 1888.

I HAVE the honour to inform you that the Marquis of Salisbury has requested me to bring to your notice a rumour which has reached Her Majesty's Government that a Charter is about to be granted by the authorities of Alaska for certain privileges in a part of that country which is claimed by Great Britain.

Her Majesty's Government presume that this rumour is unfounded, as the territory in question is part of Her Majesty's dominions.

I have, &c.
(Signed) L. S. SACKVILLE WEST.

Inclosure 2 in No. 7.

Mr. Bayard to Sir L. West.

Sir,

Department of State, Washington, September 15, 1888.

I HAVE the honour to acknowledge the receipt of your note of the 10th instant, in which, at the request of the Marquis of Salisbury, you bring to my notice a rumour which

has reached Her Majesty's Government that a Charter is about to be granted by the authorities in Alaska for certain privileges in territory claimed by Great Britain. The rumour to which you refer is, as stated by you, certainly vague and indefinite, and has not come to the notice of this Department, which is wholly without information in regard to the granting of such a Charter as you mention, or to the locality of the territory to which it is said to apply.

A copy of your note will at once be transmitted to the Secretary of the Interior.

I have, &c.
(Signed) T. F. BAYARD.

No. 8.

Sir L. West to the Marquis of Salisbury.—(Received October 12.)

(No. 317.)

My Lord,

Beverly (Massachusetts), September 29, 1888.

WITH reference to my despatch No. 309 of the 21st instant, I have the honour to inclose to your Lordship herewith a further note which I have received from the Secretary of State on the subject of the proposed grant of certain privileges to the Alaska Company.

I have, &c.
(Signed) L. S. SACKVILLE WEST.

Inclosure in No. 8.

Mr. Bayard to Sir L. West.

Sir,

Department of State, Washington, September 25, 1888.

IN further reply to your note of the 10th instant, relating to a rumour which had reached Her Britannic Majesty's Government to the effect that a Charter was about to be granted by the authorities in Alaska for certain privileges in territory claimed by Great Britain, I have the honour to inform you that the Department is in receipt of a communication from the Secretary of the Interior, to whom your inquiry was referred, to the effect that the Department of the Interior has no information as to any proposed action of the character described.

I have, &c.
(Signed) T. F. BAYARD.

No. 9.

Foreign Office to Colonial Office.

Foreign Office, October 16, 1888.

[Transmits copies of Sir L. West's Nos. 309 and 317 of September 21 and 29, 1888: *ante*, Nos. 7 and 8.]

No. 10.

Colonial Office to Foreign Office.—(Received November 9.)

Sir,

Downing Street, November 8, 1888.

I AM directed by Lord Knutsford to transmit to you, to be laid before the Marquis of Salisbury, a copy of a despatch from the Governor-General of Canada, forwarding a Minute of the Dominion Privy Council on the subject of the projected survey of the Portland Channel by the United States' Government as part of the boundary between Canada and the United States' portion of Alaska.

I am at the same time to transmit a copy of a letter, dated the 3rd October, on the subject of the southern boundary of Alaska from Major-General D. R. Cameron, who has given much attention to this question.

I am to observe that, although the line of demarcation may run along the Portland

Channel, and that, if so, there might be no ground for a protest against the action of the United States' Government, yet it might be intimated to them that Her Majesty's Government would not necessarily acquiesce in any boundary laid down by United States' authorities only, but that the Government of Canada have intimated their willingness to co-operate with the United States' Government now, as they have, indeed, always been willing to do, in having the true boundary between Alaska and Canada ascertained and delineated.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 10.

Lord Stanley of Preston to Lord Knutsford.

My Lord,

Government House, Ottawa, October 8, 1888.

MY Ministers have had under consideration a despatch, dated the 7th August last, from the Lieutenant-Governor of British Columbia, inclosing a Minute of his Executive Council, together with a letter from the Honourable Mr. Justice Gray, having reference to the boundary between that Province and Alaska, and stating that a grant had been made during the present Session of the American Congress for an exploratory survey of the line up the Portland Channel, as if it were the recognized or admitted starting-point for the Alaska boundary-line, and for that purpose that an exploratory party had been sent there by the United States' Government, and were now engaged in surveying. I have the honour to forward herewith a copy of an approved Minute of the Privy Council concurring in a Report of a Sub-Committee of Council recommending that, in view of the facts therein set forth, the Foreign Office be moved to remonstrate with the United States' Government against its being supposed that the action of such Government in making the survey in question may be considered as a taking of possession or of fixing of boundaries between the two countries, and, at the same time, assuring the Government of the United States that the Canadian Government are now, as they have always been, willing to co-operate with it in having the true boundary between Canada and Alaska ascertained and delineated.

I have, &c.
(Signed) STANLEY OF PRESTON.

Inclosure 2 in No. 10.

Report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General in Council on the 20th September, 1888.

THE Committee of the Privy Council have had under consideration a despatch, dated the 7th August, 1888, from the Lieutenant-Governor of British Columbia, inclosing a Minute of the Executive Council, having reference to the boundary between that Province and Alaska, and stating that a grant had been made during the present Session of the American Congress for an exploratory survey of the line up the Portland Channel, as if it were the recognized or admitted starting point for the Alaska boundary-line, and for that purpose that an exploratory party had been sent there by the United States' Government, and were now engaged in surveying.

The Minister further alleged that, in the absence of any Convention or Agreement between the two countries, such action might be regarded as a quiet taking possession by the United States under a colour of right, which up to this year has never been acted upon, and that the Council are of opinion that it was advisable that the United States' Government should be informed that the survey above mentioned would not be regarded as having any effect in the ultimate determination of the boundary, and that a protest should be entered against the notion that such survey is a rightful, or any, taking possession of the country by the United States.

The Minister further referred to an accompanying letter from the Honourable Mr. Justice Gray, dated the 23rd July, 1888, to the Provincial Secretary of British Columbia, and, adopting his argument, requested that there might be an early settlement of a question involving such important national, Dominion, and provincial interests.

The Sub-Committee of the Privy Council, to whom the said despatch and inclosure were referred, states that, in their judgment, it is not probable that the exploratory

surveys now being made by the United States' authorities are intended by such authorities to be a taking possession by them of any territory of which the boundaries between the two countries have not been ascertained, but they recommend that, in view of the fact that the United States' Government may possibly take the view suggested in the Minute of Council of the British Columbia Government, the Foreign Office be moved to remonstrate with the United States' Government against its being supposed that the action of such Government in making the survey in question may be considered as a taking of possession or of fixing of boundaries between the two countries, at the same time assuring the Government of the United States that the Canadian Government are now, as they always have been, willing to co-operate with it in having the true boundary between Alaska and Canada ascertained and delineated.

The Committee, concurring in the above Report, advise that your Excellency be moved to transmit a copy of this Minute, together with the despatch and inclosure, from the Lieutenant-Governor of British Columbia to the Right Honourable the Secretary of State for the Colonies.

The Committee further advise that the Secretary of State be authorized to communicate a copy of this Minute to the Lieutenant-Governor of British Columbia for the information of his Government.

All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN G. McGEE, Clerk,
Privy Council.

Inclosure 3 in No. 10.

Lieutenant-Governor Nelson to Secretary of State, Ottawa.

Sir, *Government House, Victoria, August 7, 1888.*

I HAVE the honour to transmit herewith copy of a Report of a Committee of my Executive Council approved by me on the 6th instant, having reference to a certain exploratory survey now being made of the line up the Portland Channel by the authorities of the United States, and for which a grant was made during the present Session of Congress, as if it were the recognized or admitted starting-point for the Alaska boundary-line, between that country and the Dominion of Canada.

Accompanying the Report is a letter on the subject from the Honourable Mr. Justice Gray, to which my Government invite the attention of the Dominion Government, they also refer to previous Minutes of Council, dated the 22nd July, 1884, the 8th September, 1884, the 9th November, 1885, and the 16th March, 1887, and most respectfully but most urgently reiterate the arguments therein put forth.

In addition to the arguments so strongly put forward in the letter of the Honourable Justice Gray, and referred to in the Minute of Council, I would draw the attention of the Dominion Government to the rich mineral discoveries being made along the Alaska coast the possibility and even probability of such discoveries being in the region referred to, and its probable occupation by citizens of the United States in the prosecution of such mining enterprizes, thus enhancing the difficulty of reclaiming the territory as a further reason for the urgent attention of the Dominion Government to the subject.

I have, &c.
(Signed) HUGH NELSON.

Inclosure 4 in No. 10.

Report of a Committee of the Honourable the Executive Council, approved by his Honour the Lieutenant-Governor on the 6th August, 1888.

IT has recently been brought to the notice of the Executive Council that a grant was made during the present Session of the American Congress for an exploratory survey of the line up the Portland Channel, as if it were the recognized or admitted starting-point for the Alaska boundary-line; and for that purpose that an exploratory party has been sent there by the United States' Government, and is now engaged in surveying.

In the absence of any Convention or Agreement between the two countries, this may be regarded by some as a quiet taking possession by the United States, under a colour of right, which up to this year has never been acted upon. The Committee of Council are of the opinion that it is advisable that the United States' Government should be informed that the survey above mentioned will not be regarded as having any effect in the ultimate

determination of the boundary, and that a protest be entered against the notion that such survey is a rightful, or any, taking possession of the country by the United States.

Accompanying this Minute is a valuable and important letter from the Honourable Mr. Justice Gray, to the perusal of which the attention of the Dominion Government is invited.

The Committee would refer to previous Minutes of Council on the subject of said boundary, dated respectively the 22nd July, 1884, 8th September, 1884, 9th November, 1885, 30th November, 1885, 7th February, 1887, and 16th March, 1887; and respectfully but most strongly reiterate the arguments and requests therein put forward for an early settlement of a question involving such important national, Dominion, and Provincial interests.

The Committee recommend that a copy of this Minute, if approved, be forwarded by his Honour the Lieutenant-Governor to the Honourable the Secretary of State for Canada.

Certified:

(Signed) JNO. ROBSON, *Clerk,*
Executive Council.

Victoria, August 4, 1888.

Inclosure 5 in No. 10.

Mr. Gray to Mr. Robson.

Dear Sir,

Victoria, British Colombia, July 23, 1888.

SOME circumstances have of late occurred with reference to the question of the Alaska boundary which justify me in calling your attention, as a Member of the Government, to the subject.

In a Report which I had the honour to make to the Government several years ago, and which was embraced in the Minute of Council at that time adopted, I remarked (see Sessional Papers, 1885, p. 453) that, "in view of any ulterior extension of the Canadian Pacific Railway or its branches to an ocean terminus at Port Simpson, the settlement of this boundary is important, both in a strategical point of view, as affecting the sea approaches to the port, and in an economical point of view, as affecting the collection of revenue.

It is to the first, or strategical point, I wish to call your attention.

First: You will observe that a grant was made during the present Session of the American Congress for an exploratory survey of the line up the Portland Channel, as if it were the recognized or admitted starting-point for the boundary-line; and for that purpose an exploratory party has been sent there by the United States' Government.

In the absence of any Convention or Agreement between the two countries, this is a quiet taking possession, under a colour of right, which up to this year has never been acted upon.

Possession is a most important point in a disputed boundary matter, and will render a settlement or compromise with the United States which would necessitate a dislodgement or renouncement almost impossible.

Secondly: Apart from the immense loss of territory lying between Cape Chacon and that point nearly 70 or 80 miles to the eastward of Cape Chacon, strategically it will give a divided command of the approaches to the northern port or outlet of the Canadian railways to the Pacific Ocean.

You will have noticed by the proceedings in Congress, and the Report of General Duane, of the American Corps of Engineers, that the subject of the approaches by way of Fuca Straits to the mainland is under grave discussion; and there can be no question that, with the present long-range guns, the possession of Cape Flattery, Neah Bay, and the adjoining southern coast, the command of Fuca Straits is just as much American as British; and the commerce of either nation will be at the mercy of that Power which, for the time being, has the strongest force there. If the same end can be obtained at Portland Channel, then, both north and south, the commerce of Canada of the Pacific is at the mercy of a foreign Power.

If the true starting-point, Cape Chacon, is adhered to, then the approach to the mainland is by Discon Straits, 50 or 60 miles wide, and there will not be an armed foreign fortification lying within available distance to cut off the trade of the mainland, and at the same time of all the north-eastern portion of the island, as there certainly will be if the Portland Channel is admitted to be the starting-point.

I do not wish to enlarge upon this subject; to any one acquainted with the topography of the country it is too plain.

The whole of our difficulties with the United States as to the eastern fisheries arise from ambiguous expressions and quiet insidious assumptions. It is as well to avoid that state of affairs on the Pacific Coast. We have the knowledge, and it seems to me that the Canadian Government should be asked to protest at once against this action of the United States. A year hence it will be too late.

Excuse my calling this matter to your attention; but I have for so many years thought over it and the importance it will have in the future upon the welfare, not only of British Columbia but of the whole Dominion, that I do not think I ought to be silent.

Very truly yours,
(Signed) J. HAMILTON GRAY.

Inclosure 6 in No. 10.

Colonel Cameron to Colonial Office.

Sir,

Royal Artillery Barracks, Sheerness, October 3, 1887.

I HAVE had the honour to receive your confidential letter of the 30th ultimo, intimating that the Secretary of State for the Colonies desires me to say if, in my opinion, the correspondence transmitted with your letter throws any fresh light on the Alaskan boundary question.

I do not think the correspondence throw any fresh light on the subject. The undated printed copy (? 1885) of the Report of a Committee of the Honourable the Executive Council of British Columbia is based on the assumption that Article III of the Convention of the 16th (28th) February, 1825, as ratified between Great Britain and Russia, does either not include the words "la passe dite Portland Channel," or if it does include them, that they were introduced inadvertently.

Neither of these views is correct.

I have personally verified the fact that in the ratified copy of the Convention the words do occur, and there cannot be the least doubt that the framers of the Convention inserted them advisedly.

The Russian contention that Portland Channel should be their southern continental boundary was a subject of protracted discussion, and finally led to the negotiations at St. Petersburg being interrupted.

In reporting to Mr. Canning how matters stood, the British Plenipotentiary, Sir Charles Bagot, informed him (the 17th (29th) March, 1824) that, but for their disagreement with regard to the southern Russian continental boundary, the Plenipotentiaries would not have had any real difficulty in arriving at a satisfactory agreement on all the questions referred to them.

Consequently, Mr. Canning, having reconsidered the whole subject, instructed Sir Charles Bagot, on the 12th July, 1824, that he might agree to "a line drawn from the southernmost point of Prince of Wales Island, from south to north through Portland Channel, till it strikes the mainland in latitude 56°, thence," &c.

Apparently with this concession to the Russians in view, Mr. Canning had, a short time previously (the 29th May, 1824), informed Count Lieven, the Russian Ambassador, that, on reopening negotiations, he should require "a somewhat more western degree of longitude as the boundary to the northward of Mount Elias;" and, when instructing Sir Stratford Canning, who succeeded Sir Charles Bagot as British Commissioner, Mr. Canning wrote: "I omitted in my last instructions to Sir Charles Bagot, though I had signified to Count Lieven that I intended to require a small extension of the line of demarcation from the point where the *lisière* on the coast terminates in latitude 59° to the northward. The extension required is from 139° to 140° west longitude, the latter being the parallel which falls more directly on Mount Elias."

This claim involved the agreement by Russia to forego more than 37,800 square miles which in the earlier part of the negotiations had been assigned to her.

In the records of the negotiations there are many references to Portland Channel. The Plenipotentiaries alluded to it in connection with its relation to the neighbouring geographical features. They referred to the latitude of its entrance, and to that of its inland extremity; and they disputed as to trade being carried on in its vicinity. Mr. Canning consulted the Hudson's Bay Company about it; and, in reply, the Governor of the Company (the 26th May, 1824), remarking on the draft of the Convention to be sent to Sir Charles Bagot on the renewal of the negotiations, made special allusion to the

circumstance that the Convention ceded "to Russia the exclusive right to the islands and coast from latitude 54° 40' northward to Mount Elias."

In my mind there is not a shadow of a doubt that, by the words "Portland Channel" the Plenipotentiaries intended to be understood the Portland Channel or Canal of Vancouver's Survey. 1X

With reference to paragraph 6, p. 12, of the Report of the Committee of the Executive Council of British Columbia, in which it is stated that the Portland Channel line does not appear to have been "laid down, acquiesced in, or sanctioned by any competent authority before the transfer of Alaska to the United States," regard may be paid to Maps Nos. 6 and 7, accompanying Colonial Office Document, "North American Report on the British Alaskan Boundary."

Map No. 6 is taken from a Map compiled in 1831 in the Colonial Office.

Map No. 7 is taken from a Russian Government Map dated 1844.

Both show Portland Channel as forming part of the Alaskan boundary; and both were drawn anterior to the transfer of Alaska to the United States.

The letter of Mr. Justice Gray, covering the printed copy of the Report by the Committee of the Executive Council of British Columbia, does not appear to require remark.

I return herewith all the documents transmitted with your letter of the 30th ultimo, and I have, &c.

(Signed) D. R. CAMERON.

Inclosure 7 in No. 10.

List of Inclosures.

1. COPY of a Report (? 1885) of a Committee of the Honourable the Executive Council of British Columbia on the question of the boundary between Canada and Alaska (printed).
2. Map of the Province of British Columbia, compiled by direction of the Honourable W. Smith, Chief Commissioner of Lands and Works, Victoria, British Columbia, 1884. Published by Dawson, Brothers, Montreal, and docketed by Mr. Justice Gray, "British Columbia. Correct delineation of north-west boundary."
3. Letter from Mr. Justice Gray to Dr. Cogswell, 47 York Terrace, Regent's Park, London, 23rd February, 1887.
4. Printed extract from Morgan's Parliamentary (Canadian) Companion, 1872, a sketch of Mr. Justice Gray's official life.

No. 11.

Foreign Office to Colonial Office.

Sir,

Foreign Office, December 6, 1888.

THE Marquis of Salisbury has had under his consideration your letter of the 8th ultimo, and the papers which accompanied it, respecting an exploratory survey by United States' officers of the channel on the Alaska coast now known as the "Portland Channel."

As the present Government of the United States will not be in power for more than four months longer, Lord Salisbury does not consider that any useful purpose would be served by intimating to them that the Government of Canada are willing now, as they always have been, to co-operate with the United States' Government in having the true boundary-line between Alaska and Canada ascertained and delineated. His Lordship will, however, take advantage of any favourable opportunity that may occur to communicate to the United States' Minister in this country a Memorandum notifying that an explanatory survey of the so-called "Portland Channel" by American officers must not be taken as an admission that the true line of the limit of the Queen's dominions in those parts under the Treaty with Russia of 1825 runs up that channel. I am to transmit to you the accompanying draft of such proposed communication for the consideration of the Secretary of State for the Colonies.

With regard to the contention of the Committee of the Columbian Executive Council (to which Major-General Cameron refers in his letter of the 3rd October last), that Her Majesty's Government are not necessarily bound to the "Portland Channel" line of

frontier, Lord Knutsford is, of course, aware that whenever the boundary question comes up for discussion with the United States one of the chief difficulties will be to obtain from them an admission that the Portland Channel mentioned in the Treaty of 1825 as the boundary-line is the waterway now in part called Pearse Channnel, and not the channel now known as Portland Inlet.

I am, &c.
(Signed) P. CURRIE.

Inclosure in No. 11.

Draft Memorandum for communication to the United States' Minister in London.

THE Government of the Dominion of Canada have recently brought to the notice of Her Majesty's Government that the United States' Government, acting on a grant made by Congress for an exploratory survey of territory in the vicinity of British Columbia, have dispatched a surveying party to the channel now called Portland Inlet and Portland Channel.

Having regard to the fact that the frontier-line between the dominions of the Queen and the territory of Alaska, as laid down by the Treaty between Great Britain and Russia of 1825, has not been locally verified by the joint authority of Great Britain and Russia or of Great Britain and the United States, who acquired the Territory of Alaska from Russia, no survey made by officers acting on behalf of the United States' Government only can be accepted by Her Majesty's Government as an admission on their part that the true Treaty line lies up the channel now generally known as Observatory or Portland Inlet.

No. 12.

Mr. Phelps to the Marquis of Salisbury.—(Received December 7.)

My Lord,

Legation of the United States, London, December 6, 1888.

REFERRING to the various correspondence which has heretofore taken place between the Governments of the United States and of Great Britain relative to the boundary-line between Alaska and British Columbia, and to the conversations I have had the honour to hold with your Lordship on that subject, I am now instructed by my Government to acquaint your Lordship that it proposes to send out an expedition for the survey of the locality of the line in question, and the ascertainment of the facts and data necessary to its delimitation in accordance with the spirit of the existing Treaties in regard to it between Great Britain and Russia, and between the United States and Russia.

I am further instructed respectfully to request of Her Majesty's Government that a surveying party may be sent out on its part to join that of the United States' Government and to participate with it in the examination and survey, in such a manner as to reach, if possible, a joint and concurrent conclusion in respect to the facts material to be determined. And I have the honour to inclose an extract from an official letter addressed to the Secretary of the Treasury of the United States, by the Superintendent of the United States' Coast and Geodetic Survey, showing the time and manner of the proposed survey, the composition of the party, and other particulars. These details are of course open to modification as may be found advisable by agreement between the two Governments, should the expedition be prosecuted jointly.

The previous correspondence between the two Governments on this subject has been printed by the United States' Government together with Maps to illustrate it, on the occasion of its being laid before Congress by the President. And in the hope that it may facilitate the reference your Lordship may desire to make, I venture to inclose a copy for your use.

It will be perceived from this correspondence, as will doubtless be in your Lordship's recollection, that an Agreement between the two Governments for a joint survey of this boundary was arrived at in April 1886. The execution of it has unfortunately been delayed hitherto by the failure to obtain the requisite appropriation from Congress, which, however, has now been made.

The reasons for the conclusions then reached are so fully set forth in the correspondence that I need not repeat them. They have increased in force with the time that has elapsed. The occupation of the region affected is rapidly taking place, and a disputed boundary may be at no distant day the occasion of serious trouble.

Preparations for so distant and extensive a work necessarily require time. And preliminary details need consideration.

I am therefore directed to express the hope of my Government that the matter may receive as early attention on the part of Her Majesty's Government as shall be found convenient.

I have, &c.
(Signed) E. J. PHELPS.

Inclosure in No. 12.

Extract from Letter from the Superintendent of the United States' Coast and Geodetic Survey to the Honourable the Secretary of the Treasury, dated September 25, 1888.

PENDING the action of Congress upon the appropriations, there has, of course, been no formulation nor approval of plans or projects for such preliminary survey. For reasons, however, which are rendered sufficiently apparent by the contents of Senate Ex. Doc. No. 143, 49th Congress, 1st Session, it is obvious that, except as to a portion of the frontier-line, which is coincident with the meridian line of the 141st degree of west longitude, it would be impossible for a survey to definitely and authoritatively locate the boundary or frontier-line. From some informal discussion of the matter, it is understood that the Honourable Secretary of State will be likely to require that the preliminary survey shall, among other things, accurately establish in latitude and longitude, and permanently mark, such a number of accessible points at certain distances from the coast, or along certain mountain summits, as, together with such topographical reconnaissance as may be practicable, will afford the geographical information requisite to the proper negotiation of a Treaty establishing a boundary. To obviate, during such negotiation, all controversy as to the accuracy of such geographical information, it would seem desirable that both parties to the negotiation should be represented in the operations of the preliminary survey by competent surveyors and astronomers, whose concurrence in the determination of points in latitude and longitude, and in the delineation of topographical features would insure acceptance of their work by the negotiators, and avert one possible occasion of controversy and delay in the conclusion of a Boundary Treaty. The interval of six months or more which, under existing conditions, must elapse before it will be practicable to place our surveying parties in the field—in Alaska—would doubtless enable the Canadian Government to arrange and equip three or four surveying parties to meet our parties at some rendezvous on the Pacific Coast in April next, and join in a rapid prosecution of such preliminary survey. The desired result might be as well accomplished, though at disproportionately small expense for the Canadian Government, by the detailing of a single Canadian surveyor and astronomer to accompany each of our full parties, of which there will probably be four. Except as it may be necessarily interrupted by climatic or other causes, it is expected that the survey once begun, will be continuously prosecuted, and that the parties will not return from Alaska until its completion within three, and probably two, years from the actual commencement of work in the field.

No. 13.

The Marquis of Salisbury to Mr. Phelps.

Sir,

Foreign Office, December 13, 1888.

I HAVE the honour to acknowledge the receipt of your note of the 6th instant, stating that the United States' Government proposes to send out an expedition for the survey of the locality of the line of boundary between Alaska and British Columbia, and the ascertainment of the facts and data necessary to its delimitation in accordance with the spirit of the existing Treaties in regard to it between Great Britain and Russia, and between the United States and Russia; and requesting that a surveying party may be sent out on the part of Her Majesty's Government to participate in the survey.

The proposal made by the United States' Government will be considered by Her Majesty's Government without delay, in communication with the Government of the

Dominion of Canada, and I shall have the honour of acquainting you with the result as early as possible.

I have, &c.
(Signed) SALISBURY.

No. 14.

Foreign Office to Colonial Office.

Sir,

Foreign Office, December 13, 1888.

SINCE the date of the letter from this Department of the 6th instant, respecting the boundary between British Columbia and the United States' Territory of Alaska, the Marquis of Salisbury has received from the American Minister at this Court a note dated the 6th instant, of which I inclose a copy,* stating that the United States' Government propose to send out an expedition for the survey of the locality of the line in question, and the ascertainment of the facts and data necessary to its delimitation in accordance with the spirit of the existing Treaties in regard to it between Great Britain and Russia, and between the United States and Russia.

The Secretary of State for the Colonies will see that the United States' Government request that Her Majesty's Government will send a surveying party to join that of the United States' Government, and to participate in the examination and survey in such manner as to reach, if possible, a joint and concurrent conclusion in respect to the facts material to be determined.

Proposals as to the time and manner of the survey are made in a letter from the Superintendent of the United States' Coast and Geodetic Survey, of which a copy accompanies Mr. Phelps' communication. A copy of the paper laid before Congress therein referred to was forwarded to your Department in the letter from this Office of the 6th November, 1886.

Lord Salisbury has informed Mr. Phelps that the proposal contained in his note shall receive the consideration of Her Majesty's Government; and I am directed by his Lordship to request that you will move Lord Knutsford to favour him, at his early convenience, with such observations as he may have to offer on the suggestions of the United States' Government.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 15.

Colonial Office to Foreign Office.—(Received December 20.)

Sir,

Downing Street, December 18, 1888.

I AM directed by Lord Knutsford to acknowledge the receipt of your letter of the 13th instant, transmitting copy of a note from the American Minister at this Court on the subject of the proposed survey of the Alaskan boundary.

In reply, I am to inclose, for the information of the Marquis of Salisbury, a copy of a despatch which Lord Knutsford has addressed to the Governor-General of Canada on the subject.

Pending the receipt of a reply to this despatch Lord Knutsford presumes that no action need be taken on your letter of the 6th instant.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure in No. 15.

Lord Knutsford to Lord Stanley of Preston.

My Lord,

Downing Street, December 17, 1888.

I HAVE the honour to transmit to you, for communication to your Ministers, a copy of a letter from the Foreign Office, inclosing copy of a note from the American Minister at this Court on the subject of the proposed survey of the Alaskan boundary.

* No. 12.

I should be glad to be informed, with reference to the fourth paragraph of the Report of the Privy Council which accompanied your despatch referred to, what steps your Government desire to be taken in this matter.

I take this opportunity of transmitting, for the information of your Ministers, a copy of a letter from Major-General D. R. Cameron, C.M.G., on the subject of the southern portion of the boundary.

I have, &c.
(Signed) KNUTSFORD.

No. 16.

Foreign Office to Colonial Office.

Sir,

Foreign Office, December 26, 1888.

I HAVE laid before the Marquis of Salisbury your letter of the 18th instant, inclosing a copy of a despatch which Lord Knutsford has addressed to the Governor-General of Canada on the subject of the proposals made by the United States' Government in regard to the boundary between Alaska and British Columbia.

Lord Salisbury considers that, pending a decision on those proposals, no action is necessary on the letter from this Department of the 6th instant.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

CONFIDENTIAL.

(6055.)

PART IV.

FURTHER CORRESPONDENCE

RESPECTING THE

BOUNDARY

BETWEEN THE

BRITISH POSSESSIONS IN NORTH AMERICA

AND THE

TERRITORY OF ALASKA.

1890.

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CONFIDENTIAL.

Her Correspondence respecting the Boundary between the
British Possessions in North America and the Territory
of Alaska.

PART IV.

No. 1.

*Memorandum relating to the Question of the Boundary between the British Possessions in
North America and the Territory of Alaska.*

ON the 16th (28th) February, 1825, the line of demarcation between the Russian
British possessions in North America was defined by Convention.

A Memorandum, dated July 1835, of the circumstances which led to the conclu-
sion of this Convention will be found at p. 25 of Confidential Paper No. 5439 of 1886.

On the 30th March, 1867, the Emperor of Russia ceded to the United States all
territory and dominion then possessed by His Majesty on the Continent of
America and in the adjacent islands contained within the geographical limits set forth
in the following Article I of the Treaty concluded on the 30th March, 1867, and
ratified by the United States on the 20th June of the same year:—

“The eastern limit is the line of demarcation between the Russian and the British
possessions in North America, as established by the Convention between Russia and
Great Britain of the 16th (28th) February, 1825, and described in Articles III and
IV of the said Convention, in the following terms:

Confidential Paper
No. 5439, p. 9.

“Commencing from the southernmost point of the island, called Prince of Wales’
Island, which point lies in the parallel of $54^{\circ} 40'$ north latitude, and between the 131st
and the 133rd degree of west longitude (meridian of Greenwich), the said line shall
run to the north along the channel called Portland Channel, as far as the point of
the continent where it strikes the 56th degree of north latitude; from this last-
mentioned point, the line of demarcation shall follow the summit of the mountains
nearest parallel to the coast as far as the point of intersection of the 141st degree of
west longitude (of the same meridian); and, finally, from the said point of intersection
to the said meridian line of the 141st degree, in its prolongation as far as the Frozen
Ocean.

“IV. With reference to the line of demarcation laid down in the preceding
Article, it is understood—

“1. That the island called Prince of Wales’ Island shall belong wholly to
the United States (now, by this cession, to the United States).

“2. That whenever the summit of the mountains which extend in a direction
parallel to the coast from the 56th degree of north latitude to the point of intersection
of the 141st degree of west longitude shall prove to be at the distance of more than
ten marine leagues from the ocean, the limit between the British possessions and the
Russian possessions of coast which is to belong to Russia as above mentioned (that is to say, the limit
of the possessions ceded by this Convention), shall be formed by a line parallel to the
coast, and which shall never exceed the distance of ten marine leagues
from the coast.

“The western limit within which the territories and dominions conveyed are con-
veyed passes through a point in Behring’s Straits on the parallel of $65^{\circ} 30'$ north
latitude at its intersection by the meridian which passes midway between the Islands
Krusenstern, or Ignalook, and the Island of Ratmanoff, or Noonarbook, and
proceeds due north, without limitation, into the same Frozen Ocean. The same
western limit, beginning at the same initial point, proceeds thence in a course nearly

south-west, through Behring's Straits and Behring's Sea, so as to pass midway between the north-west point of the Island of St. Lawrence and the south-east point of Cape Choukotski, to the meridian of 172° west longitude; thence, from the intersection of that meridian, in a south-westerly direction, so as to pass midway between the Island of Attou and the Copper Island of the Kormandorski couplet or group in the North Pacific Ocean, to the meridian of 193° west longitude, so as to include in the territory conveyed the whole of the Aleutian Islands east of that meridian."

Confidential Paper
No. 5439, p. 4.

In his Annual Message to Congress of the 2nd December, 1872, President Grant, after referring to the then recent settlement of the San Juan Island dispute, said:—

"Experience of the difficulties attending the determination of our admitted line of boundary, after the occupation of the territory and its settlement by those owing allegiance to the respective Governments, points to the importance of establishing, by natural objects or other monuments, the actual line between the territory acquired by purchase from Russia, and the adjoining possessions of Her Britannic Majesty. The region is now so sparsely occupied, that no conflicting interests of individuals or of jurisdiction are likely to interfere to the delay or embarrassment of the actual location of the line. If deferred until population shall enter and occupy the territory, some trivial contest of neighbours may again array the two Governments in antagonism. I therefore recommend the appointment of a Commission, to act jointly with one that may be appointed on the part of Great Britain to determine the line between our territory of Alaska and the coterminous possessions of Great Britain."

An estimate of the probable cost and time of a survey of the Alaskan boundary-line then made on behalf of the United States' Government fixed the cost at about 1,500,000 dollars, and the time required as nine years in the field, and at least one year more for mapping the results.

The suggestion was not then acted upon by Congress.

Ibid., p. 2.

In January 1886 Mr. Phelps, the United States' Minister in London, by instructions of his Government, proposed a Mixed Commission to survey and designate the boundary-line in question, so as to afford a basis for its establishment by Convention or otherwise.

The condition of increasing Settlements apprehended by President Grant had, it was argued, assumed marked proportions: recent explorations had proved that the geographical features of the country were wrongly described in the Treaties, and it was practically impossible to determine a boundary in accordance with them.

Ibid., p. 16.
Colonial Office,
February 1, 1886.

The Government of Canada was consulted, and on the 19th March 1886, Her Majesty's Minister at Washington laid before the United States' Government the following Memorandum:—

Ibid., p. 39.
Sir L. West, No. 73,
March 20.

"Mr. Phelps' proposal was for the appointment of a Joint Commission.

"The Dominion Government, however, while expressing its general agreement to a preliminary survey, has not expressed its assent to such a Commission. They consider that a preliminary survey, such as was suggested in the President's Message to Congress, is preferable to a formally constituted Joint Commission, which would involve a large expenditure of public money, and lead, perhaps, to interminable discussions. They are of opinion that the survey which they are prepared to agree to would enable the two Governments to establish a satisfactory basis for the delimitation of the frontier, and demonstrate whether the conditions of the Convention of 1825 are applicable to the now more or less known features of the country."

Ibid., p. 43.
Inclosure in Sir L.
West's No. 85,
March 28.

Ibid., p. 52.
Sir L. West, No. 91,
April 3, 1886.

This Memorandum was submitted to the Governor-General of Canada, who stated that it "expresses exactly the views of my Government in regard to this matter;" and on the 3rd April the United States' Government was informed that "Her Majesty's Government agree in principle to this preliminary investigation of the boundary, but that such Agreement must not be understood necessarily to imply the appointment of a Joint Commission."

Ibid., p. 56.
Sir L. West,
No. 131.

On the 17th May, 1886, President Cleveland submitted a Message to the Senate and House of Representatives, recommending an appropriation of 100,000 dollars "for a preliminary survey of the boundary-line in question by officers of the United States."

Congress, however, refused this appropriation.

Confidential Paper
No. 5634 Sir L.
West, No. 64.
March 9, 1887.

Confidential Paper
No. 5774, p. 21.
Mr. Phelps,
December 6, 1888.

The matter appears to have rested till December 1888, when Mr. Phelps informed Lord Salisbury that as Congress had at last made the requisite appropriation of funds,

Government proposed to "send out an expedition for the survey of the locality of line in question, and the ascertainment of the facts and data necessary to its limitation" in accordance with the spirit of the existing Treaties in regard to it between Great Britain and Russia and between the United States and Russia," and requested that a surveying party might be sent out on the part of Her Majesty's Government to participate in the survey.

Proposals as to the time and manner of the survey were made in a letter from the Superintendent of the United States' Coast and Geodetic Survey, of which a copy accompanied Mr. Phelps' note.

This proposal was communicated to the Governor-General of Canada, but no answer has yet been returned by him.

It may be useful to add that in 1886 Colonel Cameron, R.A., who had been previously employed in defining the eastern boundary of British Columbia, was selected British Commissioner. He wrote several valuable Memoranda on the subject which will be found at pp. 41, 44, 45, 48, 63, 65, and 67 of the Confidential Paper No. 5439 on the subject. In them, he dwelt on the geographical features of the proposals, on the inaccuracy of the Maps, and the importance of guarding ourselves against a committal to them. We consequently informed the United States' Government that we disavowed the line laid down in the Map alluded to by Mr. Bayard in the statement of the 20th November, 1885, on which Mr. Phelps' application of January 1886, before alluded to, was based.

An interesting Report on the history and resources of Alaska, compiled by L. West, from official American resources, will be found at p. 70 of the same correspondence.

(Signed) CLEMENT L. HILL.

Foreign Office,
February 14, 1890.

Confidential Paper,
No. 5774, p. 23.
Colonial Office,
December 18, 1888.

To Mr. Phelps,
August 27, 1886.

No. 2.

Sir J. Parncefote to the Marquis of Salisbury.—(Received February 17.)

o. 13)
y Lord,

Washington, February 6, 1890.

WITH reference to previous correspondence on the subject of the Alaska boundary, I have the honour to forward herewith a message from the President of the United States, transmitting a Report on the boundary-line between Alaska and British Columbia.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 3.

Colonial Office to Foreign Office.—(Received April 22.)

Downing Street, April 21, 1890.
WITH reference to your letter of the 18th February last,* I am directed by Lord Knutsford to inquire whether any action has been taken by the United States' Government in connection with the proposed joint survey of the Alaskan boundary.

I am also to inquire whether the Marquis of Salisbury wishes any further communication to be made to the Government of Canada on this subject, no reply having been received to the despatch addressed to Lord Stanley of Preston on the 18th December, 1888, copy of which was inclosed in the letter from this Department of the 18th December, 1888.

I am, &c.
(Signed) EDWARD WINGFIELD.

* Sending copy of Inclosure in No. 2.

No. 4.

Foreign Office to Colonial Office.

Sir,

Foreign Office, April 23, 1890.

IN reply to your letter of the 21st instant, I am directed by the Marquis of Salisbury to transmit herewith, for the information of Lord Knutsford, a copy of a despatch which has been addressed to Her Majesty's Minister at Washington,* inquiring whether any action has been taken by the United States' Government in connection with the proposed joint survey of the Alaskan boundary.

His Lordship would be glad to learn whether any steps have been taken by the Government of Canada in regard to it.

I am, &c.

(Signed) T. H. SANDERSON.

No. 5.

The Marquis of Salisbury to Sir J. Pauncefote.

(No. 81. Confidential.)

Sir,

Foreign Office, April 24, 1890.

ON the 6th December, 1888, Mr. Phelps informed Her Majesty's Government that his Government proposed to send out an expedition for the survey of the locality of the boundary-line between Alaska and the British possessions, and the ascertainment of the facts and data necessary to its delimitation in accordance with the spirit of the existing Treaties in regard to it between Great Britain and Russia, and between the United States and Russia, and requested that a surveying party might be sent out on the part of Her Majesty's Government to participate in the task.

The proposal was communicated to the Governor-General of Canada, but no further information has reached this Department on the subject.

I should be glad if you could inform me whether the surveying party was actually dispatched by the United States' Government, and, if so, whether there is any Report of its proceedings which could be furnished to Her Majesty's Government.

I am, &c.

(Signed) SALISBURY.

No. 6.

Sir J. Pauncefote to the Marquis of Salisbury.—(Received May 12.)

(No. 65.)

My Lord,

Washington, May 2, 1890.

I HAVE the honour to transmit herewith copy of a letter communicated by Mr. Tupper to me, in which he is requested to obtain, if possible, copy of the Map used by the Russian Minister at Washington when negotiating the Treaty for the cession of Alaska to the United States in 1867.

As I do not think it advisable to apply to the Russian Minister here, I have the honour to request that, if your Lordship approves, instructions may be sent to Her Majesty's Representative at St. Petersburg, in order that the Map may be obtained, if possible, from the Russian Government direct.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure 1 in No. 6.

Mr. Dewdney to Mr. Tupper.

(Confidential.)

Dear Mr. Tupper,

Ottawa, April 5, 1890.

I INCLOSE a copy of a confidential letter which I have received from Major-General Cameron, of the Royal Military College, Kingston, regarding the Map

used by the Russian Minister at Washington when negotiating the Treaty for the cession of Alaska to the United States in 1867; also a copy of a second communication from Major-General Cameron on the same subject, in which he suggests that as there is a possibility of your having to return to Washington, your visit might furnish a favourable opportunity for obtaining the desired information without attracting unnecessary and undesirable attention to the inquiries.

I fully agree with Major-General Cameron, that it might prove of the greatest importance if access were obtained to this Map in connection with our dealings with the United States in the matter of the Alaskan boundary, and I ask you to be so good as to try to ascertain, if possible, through the British Minister at Washington, whether this Map or a copy of it is in the records of the Russian Embassy at Washington without appealing to United States' officials; or the British Minister may have access to United States' documents, from which a knowledge might be obtained of the manner in which the Russians marked out on the Map the territory ceded by Russia to the United States.

Yours, &c.
(Signed) G. DEWDNEY.

Inclosure 2 in No. 6.

Major-General Cameron to Mr. Dewdney.

Dear Mr. Dewdney,

Kingston, January 22, 1890.

ON the occasion of the Treaty for the cession of Russian-America to the United States, 1867, being submitted to Congress for assent, Mr. Sumner made an elaborate speech, which is reported in Executive document No. 177, House of Representatives, 40th Congress, 2nd Session, 1868.

On line 11 of p. 134 the following passage occurs:—

“As M. de Stoekl, Russian Minister to the United States, was leaving St. Petersburg on the 7th February, 1867, to return to his post, the Archduke Constantine, the brother and Chief Adviser of the Emperor, handed him a Map with the lines in our Treaty marked upon it, and told him he might treat for this cession. The Minister arrived in Washington early in March. A negotiation was opened at once with our Government. Final instructions were received by the Atlantic cable from St. Petersburg on the 29th March, and at 4 on the morning of the 30th March the important Treaty was signed by Mr. Seaward, on the part of the United States, and by M. de Stoekl, on the part of Russia.”

It might prove of the greatest importance if access were obtained by the British side to this Map.

From Mr. Sumner's description of the Map, it appears to me to show limits up to which the United States may have ground for alleging a claim, but beyond which they can have no right. At the same time, the details of the Map cannot in any way limit the British right.

It is an exceptionally remarkable circumstance in connection with the Executive document, that no copy of the Map is attached to it. The document professes to include copies of all correspondence with and instructions to our Minister to Russia, together with all the information in the possession of the Executive Department of the Government in regard to the country “to be ceded by said Treaty,” except those documents “heretofore communicated to Congress, and excepting information inconsistent with the public interests.”

Consequently, extreme caution should be exercised in trying to obtain access to the Map.

As a matter of course the Russian authorities at St. Petersburg, and probably the Russian Minister at Washington, have copies of the Map. The latter may have the copy referred to by Mr. Sumner.

At p. 148 of the Executive document Mr. Sumner is reported as having said:—

“In closing this abstract of authorities being the chief sources of original information on this subject I cannot forbear expressing my satisfaction that, with the exception of a single work, all these may be found in the Congressional Library.”

But I do not anticipate that the Russian Map with the boundaries of the cession will be found there.

I am not familiar with the political history of Mr. Sumner, but there is every

appearance of his holding a brief to support the action of the United States' Government

If it is true that Great Britain was in negotiation with Russia for the purchase of Alaska, the Foreign Office and the archives of Her Majesty's Embassy at St. Petersburg would most probably have information that might be of use.

Yours, &c.

(Signed) D. R. CAMERON.

Inclosure 3 in No. 6.

Major-General Cameron to Mr. Dewdney.

Dear Mr. Dewdney,

Kingston, March 26, 1890.

I HAVE received your letter of the 22nd instant, in which, referring to my letter of the 22nd January, you mention that a copy of the original Map used at the negotiations between Russia and Great Britain in concluding their Convention of 1825 was not obtainable, as the Map itself cannot be found.

I have no copy of my letter of the 22nd ultimo, but it appears to me that there is some misunderstanding as to what I wrote.

Was not my inquiry for a copy of the original Map used by the Russian Minister at Washington when negotiating the Treaty for the cession of Alaska to the United States in 1867?

This Map was referred to by the Russian Minister at that time, it was said, as showing what was to be ceded.

The original of the Map is probably either at the Russian Embassy at Washington or amongst the United States' archives there, and almost certainly an authentic copy of it is in the Russian archives at St. Petersburg, probably with the original of the Treaty of cession deposited there.

The British Minister at Washington may possibly be able to ascertain if there be the original or a copy at the Russian Embassy there without having to appeal to United States' officials, or he may have access to United States' documents whence to obtain a knowledge of how the Russians marked out the extent of the ceded territory on the Map.

From the newspapers I learn there is a possibility of the Minister of Marine having to return to Washington, and I would suggest that this may furnish a favourable opportunity.

In the meantime, I think that the Foreign Office might be moved to ascertain from the British Ambassador at St. Petersburg if he can obtain a copy of the Map.

Yours, &c.

(Signed) W. R. CAMERON.

No. 7.

Sir J. Pouncefote to the Marquis of Salisbury.—(Received June 9.)

(No. 81.)

My Lord,

Washington, May 29, 1890.

I HAVE the honour to inform your Lordship that I addressed a note to the United States' Government in the sense of your Lordship's despatch No. 81, Confidential, of the 24th ultimo, with reference to the Alaska Boundary Survey party, and I have now received a note from Mr. Blaine in reply, copy of which is herewith inclosed, in which he states that the survey of the boundary is now in progress.

I have sent a copy of this note to the Governor-General of Canada.

I have, &c.

(Signed) JULIAN POUNCEFOTE.

Inclosure in No. 7.

Mr. Blaine to Sir J. Pouncefote.

Sir,

Department of State, Washington, May 24, 1890.

I HAVE the honour to acknowledge the receipt of your note of the 6th instant, in which you inquire whether this Government has sent a party to survey the Alaska boundary-line, and, if so, whether there is any Report of its proceedings which can be furnished to Her Britannic Majesty's Government.

Your note having been communicated to my colleague, the Secretary of the Treasury, I have received a letter from him, in which he says that "the survey of the boundary-line is now in progress. Two parties, belonging to the Coast and Geodetic Survey, are now in Alaska, one upon the Ukon River and the other upon its branch, the Porcupine River, making such astronomical and other observations as will serve for the location of the 141st meridian. These parties are supposed to have reached their destination some time last autumn, and if they are fortunate in the matter of weather and in other respects, they may be expected to return by the latter part of the present year. If their work this year on the 141st meridian proves to have been successful, it is expected that in the summer of 1891 the necessary observation and surveys for the location of the boundary-line between South-east Alaska and British Columbia will be undertaken. The survey of the shore-line on this part of Alaska, upon which the boundary-line depends, is already well under way."

I have, &c.

(Signed) J. BLAINE.

No. 8.

Foreign Office to Admiralty.

Sir,

Foreign Office, June 12, 1890.

I AM directed by the Marquis of Salisbury to request that you will move the Lords Commissioners of the Admiralty to be good enough to return to this Department the Russian Chart No. 1345, Admiralty No. A 9872, showing the land boundary of the Alaska territory ceded to the United States by Russia in 1867, which was sent to the Admiralty at that time.

I am, &c.

(Signed) T. H. SANDERSON.

No. 9.

The Marquis of Salisbury to Mr. Gosling.

(No. 151.)

Sir,

Foreign Office, June 13, 1890.

I HAVE to request that you will endeavour to procure and send to this Department two copies of the Russian Admiralty Chart No. 1345, which embraces the Alaska territory ceded by Russia to the United States in 1867, and of which a copy was sent home by Sir A. Buchanan with his despatch No. 366 of the 23rd October, 1867.

I am, &c.

(Signed) SALISBURY.

No. 10.

Foreign Office to Colonial Office.

Sir,

Foreign Office, June 14, 1890.

WITH reference to the letter from this Office of the 23rd April, I am directed by the Marquis of Salisbury to transmit herewith, for the information of the Secretary of State for the Colonies, copies of a despatch and its inclosures from Her Majesty's

Minister at Washington,* reporting that the survey of the Alaska boundary by the United States' Government is now in progress.

I am, &c.
(Signed) T. H. SANDERSON.

No. 11.

Mr. Gosling to the Marquis of Salisbury.—(Received July 28.)

(No. 198.)

My Lord,

St. Petersburg, July 22, 1890.

WITH reference to your Lordship's despatch No. 151 of the 13th ultimo, I have the honour to transmit herewith copies of the Russian Admiralty Chart No. 1345, embracing the Alaska territory ceded by Russia to the United States in 1867, which, at your Lordship's request, I applied for to the Imperial Government.

I have, &c.
(Signed) AUDLEY GOSLING.

No. 12.

The Marquis of Salisbury to Sir J. Pauncefote.

(No. 164.)

Sir,

Foreign Office, July 31, 1890.

WITH reference to your despatch No. 65 of the 2nd May last, I transmit herewith, for the use of Her Majesty's Legation, a copy of the Russian Chart No. 1345,† which was forwarded to this Office in 1867 by Her Majesty's Ambassador at St. Petersburg.

It will be seen that only the land boundary between the Russian and United States' territories is traced upon it. In sending it home, Sir A. Buchanan said it "consequently shows the point at which, in the opinion of the Russian Government, the water boundary-line in the Portland Channel terminates;" but he did not speak of it as being the Map which was "used by the Russian Minister at Washington when negotiating the Treaty for the cession of Alaska to the United States in 1867," as it is described in the inclosures to your despatch above referred to.

I have caused a second copy of the Map to be sent to the Colonial Office, with the above explanation, for transmission, should Lord Knutsford see fit, to Major-General Cameron.

I am, &c.
(Signed) SALISBURY.

No. 13.

Foreign Office to Colonial Office.

Sir,

Foreign Office, July 31, 1890.

I AM directed by the Marquis of Salisbury to transmit to you the correspondence, as marked in the margin,‡ relative to a Map indicating the boundary of the territory of Alaska made over by Russia to the United States in 1867, of which Major-General Cameron is anxious to obtain a copy.

Major-General Cameron appears to be under the impression that this Map was used by the Russian Minister at Washington during the negotiations for the transfer of Alaska. It is found, however, that when Her Majesty's Ambassador at St. Petersburg sent it home in 1867, his Excellency merely stated that it "shows the point at which, in the opinion of the Russian Government, the water boundary-line in the Portland Channel terminates," and did not say that it was the Map which was "used by the Russian Minister at Washington when negotiating the Treaty," as is assumed by Mr. Tupper and Major-General Cameron.

A copy of the Map is inclosed herewith, and Lord Salisbury will leave it to Lord Knutsford to take such steps as he may see fit for transmitting it to the Major-General, with the necessary explanations. He has so informed Sir J. Pauncefote.

I am, &c.
(Signed) T. H. SANDERSON.

* No. 7.

† No. 11.

‡ Nos. 6, 9, and 11.

Colonial Office to Foreign Office.—(Received August 23.)

Sir,

Downing Street, August 22, 1890.

WITH reference to your letter of the 23rd April last, relating to the Alaska Boundary survey, I am directed by Lord Knutsford to transmit to you, to be laid before the Marquis of Salisbury, copy of a despatch, with its inclosures, from the Governor-General of Canada on the subject.

Lord Knutsford would be glad to be informed whether Lord Salisbury is of opinion that any action should be taken at the present time by Her Majesty's Government, or by the Government of Canada in reference to this matter.

I am, &c.

(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 14.

Lord Stanley of Preston to Lord Knutsford.

(Confidential.)

Cascapedia River, New Richmond, Province of Quebec,

My Lord,

July 24, 1890.

WITH reference to your Lordship's despatch of the 29th April last, requesting to be informed whether any further steps have been taken by the Canadian Government in regard to the proposed joint survey of the Alaska Boundary, I have the honour to transmit to your Lordship copy of an approved Report of a Committee of the Privy Council, which states that, with the exception of sending a confidential agent to inquire what surveys were being carried on by the United States, no steps have been taken in this direction.

I have the honour to call your Lordship's attention to a draft Minute of Council, a copy of which is appended to the accompanying Order in Council, prepared upon a Report of the Minister of the Interior, dated the 25th February, 1889, which has been adopted by the Privy Council of Canada as an expression of the views of the Dominion Government in relation to this question.

I have, &c.

(Signed) STANLEY OF PRESTON.

Inclosure 2 in No. 14.

Certified Copy of a Report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General in Council on the 30th June, 1890.

THE Committee of the Privy Council have had before them a despatch dated the 29th April, 1890, from the Right Honourable the Secretary of State for the Colonies, having reference to previous correspondence respecting the proposed joint survey by Great Britain and the United States of the Alaska Boundary.

The Minister of the Interior to whom the subject was referred states that, with the exception of sending a confidential agent to inquire what surveys were being carried on by the United States on the coast of Alaska, no steps have been taken in the direction indicated.

The Minister, in this relation, draws the attention of Council to a draft Minute of Council prepared upon his Report of the 25th February, 1889, a printed copy of which is hereto attached, and he submits that the Minute in question applies as well to the case to-day as when originally prepared, and he recommends that the same be adopted by Council as an expression of the views of the Government of Canada in relation to this question.

The Committee concurring in the above, advise that a copy hereof be forwarded, confidentially, to the Right Honourable the Secretary of State for the Colonies.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE, Clerk,
Privy Council.

Inclosure 3 in No. 14.

Draft Minute of Council.

THE Committee of the Privy Council have had under consideration a despatch dated 17th December, 1888, from the Right Honourable the Secretary of State for the Colonies, transmitting a proposal made by the Government of the United States in respect to the boundary of Alaska, that Her Majesty's Government should send a party to join and participate with a party about to be sent to the territory in question by the United States "in the examination and survey, in such a manner as to reach, if possible, a joint and concurrent conclusion in respect to the facts material to be determined." The object of the proposed party is further stated to be "the survey of the locality of the line in question," the boundary-line, "and the ascertainment of the facts and data necessary to its delimitation in accordance with the spirit of the existing Treaties in regard to it between Great Britain and Russia, and between the United States and Russia."

The Minister of the Interior, to whom the matter was referred, observes that throughout the correspondence which accompanies the despatch of the Colonial Secretary, as well as in a letter upon the subject dated the 14th December, 1888, addressed directly to the Minister of the Interior by the Superintendent of the United States' Coast and Geodetic Survey, it is assumed that the boundary-line prescribed by the Anglo-Russian Convention of 1825 is impracticable, and the object of the expedition and survey proposed by the United States is therefore clearly not the ascertainment of the facts and data necessary to the delimitation of the boundary already provided for by international agreement, but to "afford the geographical information requisite to the proper negotiation" of a new Treaty between the United States and Great Britain, to be substituted for the Treaty of 1825 between Great Britain and Russia. To this assumption, and the proposition based upon it, the Minister directs special attention, and he submits:—

1. That there is no evidence to show that the line prescribed by the Treaty of 1825 is impracticable.

2. That Canada cannot, therefore, assent to the assumption that it is; and,

3. That while the Canadian Government is and always has been ready to co-operate with the Government of the United States in a delimitation of the boundary prescribed by the Convention of 1825, co-operation, upon the understanding that that boundary is impracticable, would be impossible.

The Minister further observes that on the 19th April, 1886, Sir Lionel West, then British Minister at Washington, communicated to the Honourable Mr. Bayard, United States' Secretary of State, a Memorandum stating that the Government of Canada had expressed its general agreement to a preliminary survey such as was suggested in the President's Message of that year, and was of opinion that such a survey would enable the two Governments to establish a satisfactory basis for the delimitation of the frontier, and would demonstrate whether the conditions of the Convention of 1825 were applicable to the now more or less known features of the country. This was not, however, an assent to co-operate in the making of a survey on the theory that the line prescribed by the Convention of 1825 is impracticable, nor that the making of a new Treaty was necessary, but, on the contrary, was an assent to the making of a survey which should be conducted with the object of giving effect to the Treaty already in existence.

The Minister remarks that if co-operation were sought with the object stated, that is to say, with the object of establishing a satisfactory basis for the delimitation of the boundary prescribed by the Anglo-Russian Convention of 1825, he is inclined to the opinion, from the claims already foreshadowed by the United States in relation to Lynn Canal, the Stikine River, and Portland Canal, that it would be necessary that a definite understanding and agreement should be arrived at between the two countries as to the purpose which the surveying parties should have in view, otherwise the great and manifest advantages of co-operation could not be attained.

The Minister further states that the contention of Canada is that the words, "*La crête des montagnes situées parallèlement à la côte,*" which occur in the IIIrd Article of the Anglo-Russian Treaty of 1825, refer to the mountains nearest to the ocean, and not to any other mountains further inland, and he recommends that steps be taken to ascertain at the earliest possible moment whether the United States accepts this interpretation, and if not, that they be invited to intimate with precision what their interpretation of the IIIrd Article of the Treaty is, and that in the absence of agree-

ment upon this point, co-operation between survey parties sent out by Canada and the United States would not be practicable.

The Minister further observes that in respect of the portion of the boundary between Prince of Wales Island and the head of Portland Canal, the United States have advanced views which are opposed to those maintained by Great Britain on behalf of Canada, and it is most desirable that an agreement should be arrived at as to whether the Convention of 1825 requires that the direction of the delimiting line shall be the most direct between the southernmost point of Prince of Wales Island and the ocean entrance to Portland Canal, or is it required that this line shall anywhere follow a parallel of latitude? The United States are understood to contend that Portland Inlet is a part of the Portland Channel through which the Convention of 1825 directs the line to be run, which contention Canada denies, and asserts that the passage along the coast through Pearse Channel to the ocean is part of Portland Canal. The correct interpretation of the expression "Portland Channel," used in the Treaty of 1825, should be decided upon as speedily as possible.

Whichever view prevails, however, the authoritative determination of the southernmost point of Prince of Wales Island, and the accurate location of any islands between Prince of Wales Island and the continent on the line to the ocean entrance to Portland Canal, will be necessary, and co-operation in arriving at this determination could be readily assented to if the hydrographic survey between Prince of Wales Island and the head of Portland Canal could be undertaken by one of the vessels of the Pacific squadron of Her Majesty's Navy, it being understood that the British party's attention would be specially directed to the survey of the passage from the south of Tongas Island along the main coast through Pearse Channel into waters which are admitted on both sides to form a part of Portland Canal.

The Minister states that the Canadian Government might further co-operate with the United States in determining, by astronomical observations or triangulation, as might be agreed upon by the officers in charge of the respective parties to be best suited to the requirements of the case, the geographical position of a number of points on the shores of the coast strip, on which to found future inland surveys. The Government of Canada might also send, during the present season, three or four survey parties to commence the inland work mentioned, but as these parties, for the reasons already herein set forth, would require to conduct their operations independently of the United States' parties, it would be necessary to obtain the consent of the United States to the prosecution of so much of these surveys as would have to be performed within United States' territory, the same privilege being of course extended to the United States in so far as their survey parties might find it necessary to carry on their work within British territory.

It would obviously tend to facilitate the completion of the necessary arrangements if Her Majesty's Government were to consent that all details, including future communication with Washington, be carried out under the direction of the Government of Canada.

The Minister represents, in order that there may be no misunderstanding on the subject, that any suggestions contained in this Memorandum looking in the direction of co-operation with the survey parties proposed to be equipped and sent out by the United States' Government, are based upon the presumption that co-operation is sought for the purpose of establishing a satisfactory basis for the delimitation of the boundary prescribed by the Anglo-Russian Convention of 1825. Upon that understanding there could be no difference of opinion as to the object of both countries as regards the 141st degree of west longitude, and he recommends that the necessary steps be taken to acquaint the Government of the United States that the Government of Canada is as ready as formerly to join in a delimitation of the line, under the supervision of a Joint Commission, to any extent required and agreed upon in that behalf. Meantime it should be stated that the Government of Canada, upon its own account and at its own sole expense, sent a party into the Yukon country in the spring of 1887, in charge of Mr. William Ogilvie, a qualified astronomer and surveyor, who made a series of observations for the purpose of ascertaining, and he has ascertained approximately, the point of intersection of the Yukon River by the 141st degree of west longitude, besides which he made an examination and surveys of the territory to the north, and as any party sent jointly by the two countries could accomplish very little more than has already been done by Mr. Ogilvie, the Minister is of the opinion that the results of a joint survey at that point would, as far as Canada is concerned, serve no purpose which would justify the expenditure.

The Committee, concurring in the foregoing Report, advise that your Excellency be moved to forward a copy of this Minute to the Right Honourable the Secretary of State for the Colonies.

All which is respectfully submitted for your Excellency's approval.

Inclosure 4 in No. 14.

Mr. Klotz to Mr. Burgess.

Sir,

Preston, December 11, 1889.

ON the 22nd August last I received verbal instructions from you to proceed to Alaska and ascertain, if possible, what surveys the United States' Government is having made there preliminary to the discussion and delimitation of the boundary between Alaska and Canada.

I started for Alaska the following day, and arrived in Victoria on the 1st September.

To ascertain the desired information it was thought best to engage a small steam-schooner, and with it to follow the main shore-line of Alaska, beginning at Portland Channel, hoping thereby to intercept any survey party at work.

It may be stated incidentally that no sailing craft could be used in these inland ocean waters of South-eastern Alaska on account of the strong tides, calms on the one hand, and adverse winds and fierce willy-waws on the other.

Upon inquiry, it was found that there was no steam-schooner at Victoria save the "Saturna," which was offered for sale at 4,500 dollars, said to have cost 6,700 dollars.

She is 46 feet long, 12 feet beam, draws 5 feet of water, has two bunks, and is of 16 tons burthen. To buy this craft was out of the question. The other steam-schooners in which Victoria parties were interested were all at the salmon canneries along the mainland coast up to the Nasse River, and hence no definite arrangement about any of them could be made, and as the mail communication at best is only every fortnight to these canneries much valuable time would have been lost, the season being already far advanced, in corresponding with the captains of these schooners. Hence I decided to avail myself of the regular steam-boat of the Pacific Coast Steamship Company plying between Tacoma and Sitka, calling at various ports on the way, amongst others at Victoria, and on the steam-boat to make the round trip of Alaska.

In the meantime I had written to Mr. R. Cunningham at Port Essington about his steam-schooner, and had made arrangements with the Customs to allow the American steam-boat to land me on my return at Port Simpson, where I expected to find a reply from Mr. Cunningham, and possibly his craft too, wherewith to begin my coasting, in case I had till then not succeeded in my mission.

Through the wreck of the "Ancon" in Naha Bay I was detained at Victoria till Sunday the 15th September, when I boarded the "Corona," which took the place of the ill-fated "Ancon."

From the nature of my mission I travelled incognito.

After a day's journey it was learnt that amongst the passengers were E. Francis, United States' Pilot for South-eastern Alaska, and specially engaged with the United States' survey-vessel "Carlile Patterson," Mr. Swineford, ex-Governor of Alaska, George Bullene, United States' Boiler Inspector, and W. Bryant, United States' Inspector of Hulls, all men who were officially familiar with Alaska.

From Mr. Francis, who has been for twenty-two years Pilot in South-eastern Alaska, the following and important information was obtained:—

The "Carlile Patterson" is a three-masted steamer, 135 feet long, 32 feet beam, of 800 tons displacement, barque-rigged, and capable of steaming 9 knots on a consumption of 8 tons of coal a-day, and 7 knots on a consumption of $4\frac{1}{2}$ tons of coal a-day in smooth water, and generally carries from 15,000 to 20,000 feet lumber for signals and scaffolding. She has ten officers, and a crew of fifty-two men, making sixty-two all told. Accompanying the "Patterson" are three steam-launches; one has two or three bunks for officers, and others forward for crew.

This launch, "Cosmos," is of 16 tons, and to man it requires a fireman, pilot, and cook. The two other launches are open, *i.e.*, not covered, and of 3 to 4 tons.

During the past year the "Patterson" has been engaged in the survey of Stephen's Passage and Seymour Channel, delineating the shore-line and taking soundings for the purposes of navigation. Stephen's Passage lies between Admiralty

Island and the mainland, and Seymour Channel is a deep bay in the above cited island.

No inland topographical work was done, although prominent peaks are located by triangulation, and, if an easily accessible elevation near the shore presents itself, it is occupied for the better determination of the location of prominent physical features of the country. Otherwise the work is nearly all done from boats. After the "Patterson" arrives on the survey ground she seldom moves about, save short distances to another anchorage, the work being done with the steam-launches and boats.

For the principal triangulation along the coast, base lines of 3 to 4 miles are measured by means of one continuous piece of piano wire supported by boats quarter to half a-mile apart, and to which a tension of 30 lbs. per mile is applied. The length of the wire is determined before and after its application as above.

In the hydrographic work the usual adoption of a plan of sounding-lines prior to the commencement of the survey is not strictly adhered to, but is modified by the peculiarities incident to the survey, such as the condition of winds, weather, and currents. The "Patterson" has now no topographical party on board. The officers all belong to the Navy; the astronomer is generally a civilian, although at present he is an officer, too. As already mentioned, the steamer takes out each year some 15,000 to 20,000 feet of lumber for signals, both small and large. The larger ones, for the primary triangulation, are from 30 to 40 feet in height, and are built of inch stuff.

The "Patterson" proceeded to Alaska in April last, and returned on the 28th September. She winters at San Francisco, or more generally at the Navy Yard at Mare Island in San Pablo Bay. The office work is done on board, or in the offices of the Navy Yard.

800 to 900 miles of shore-line is considered a good season's work. This includes islands.

The weather in South-eastern Alaska is very variable. During some seasons six weeks of continuous fine weather prevail, while the following one may have almost continuous rains.

Port Simpson in British Columbia is, and has been, the basis for longitude for the survey of South-eastern Alaska. The reason of this is, that many observations had already been taken here by British navigators prior to the beginning of the United States' survey, and, besides having a Hudson's Bay post and a small Settlement, it was a desirable place for storing the United States' launches, there being formerly no other place on the coast to the north (in Alaska) to offer these advantages. It is readily seen, then, that each year's observations here increased its value as a point of reference.

After the "Patterson" leaves San Francisco she calls at Port Townsend, where observations for time are taken, and a comparison of chronometers made with Washington by a direct telegraphic circuit. Of chronometers, ten are carried on board. Arriving then at Port Simpson, observations are again made for time and rate before proceeding to work in Alaska. After the season's work similar observations are again made, first at Port Simpson, and then at Port Townsend, thereby obtaining a determination of rate, which quantity enters directly into the observations for longitude on the survey.

Cape Fanshaw on the mainland and in Prince Frederick Sound has now been accurately connected with Port Simpson, and is to be used hereafter as a point of reference for longitude.

Congress appropriated 100,000 dollars in 1883 for the construction of a survey-vessel specially fitted for the waters of South-eastern Alaska. In compliance therewith the "Carlisle Patterson" was built, and launched in January 1884.

From G. Lockerby, Custom-house officer at Port Simpson, British Columbia, the information was obtained:—

The "Patterson" left here on the 22nd April last, and returned on the 2nd October, on her way to San Francisco. The steam-launch "Cosmos" was then put on her ways here. Observations were taken before leaving, and again on their return here, as has always been their custom. The field of operation has been in surveying the channels south of Juneau.

From D. L. Shoemaker, trader and storekeeper at Fort Wrangell, it was learned that no survey-vessel has passed there during the past year save the "Patterson." The survey around Wrangell is completed. Inquiries along the coast at the various places at which we stopped elicited the same information, *i.e.*, that the "Patterson"

was the only vessel engaged in surveying in South-eastern Alaska. and in continuation of her previous year's work of shore-line and hydrography.

Itinerary.

The route covered by my trip in Alaska was as follows:—

After passing across Dixon Entrance we stopped in succession at Tongass Narrows and Loring, in Naha Bay, both places having salmon canneries, but no other industry nor Settlement. The next landing-place was at the deserted village of Fort Wrangell. From here we continued through the tortuous Wrangell Straits, Prince Frederick Sound, and Stephen's Passage, to Juneau, the largest settlement in Alaska, having probably 1,000 inhabitants, all dependent upon mining.

The Great Treadwell Gold Mine, of 240 stamps, on Douglas Island, opposite Juneau, was also visited. The quartz vein of this mine is 500 feet wide, intersected by what the miners call a slate "horse." The quartz is a very low grade ore, and the gold is extracted from the iron pyrites by the chemical process of chlorination, after first roasting the ore. Whenever free gold is found, it is in small spar veins in the quartz. The mine is an open one, and is now sunk 290 feet from the surface. The cost of mining is 85 cents per ton, and of stamping and chlorinating, 80 cents, and nets 3 dollars per ton; 20,000 tons are crushed monthly, so that the net profit of this mine gives the handsome sum of about 750,000 dollars a-year.

From here Lynn Canal was ascended, and both Chilkat and Chilkoot Inlets entered, the former to Pyramid Island, in the vicinity of which there are three salmon canneries, the latter to the defunct Haines' Mission. Retracing our steps until Icy Strait was reached, we steamed northward into Glacier Bay, where the famous Muir Glacier was visited, walking out on its eastern flank about 2 miles. Turning south, we called at the cannery at Bartlett Bay before leaving Glacier Bay.

From there, after passing through Chatham and Peril Straits, we put in at picturesque but dilapidated Sitka, the capital, whose glory is buried in past generations. At present there are stationed at Sitka twenty-six marines, under Lieutenant Turner, and belonging to the war-ship "Pinta." For defence two howitzers are available.

To await the out-going mail the steamer must always remain twenty-four hours at Sitka.

The revenue-cutter "Rush" was lying in the harbour, having quite lately returned from her cruise in Behring's Sea, where she made a number of seizures of Canadian schooners engaged in sealing on the high seas. The complement of the "Rush" is forty-five men, and she carries two cannon and two Gatlings.

Leaving Sitka, the return journey was begun, calling first at Killisnoo, on Admiralty Island. Here are oil works, besides an Indian settlement. Several hundred barrels of oil, obtained from the herring, were taken on board. The refuse from the hydraulic presses, by means of which the oil is extracted, is roasted and ground, and shipped as fertilizer to the Spreckels sugar plantation, on the Sandwich Islands.

The steamer touched again at Juneau on the return journey, and at the other places southward already mentioned. At Juneau, the United States' survey vessel "Patterson" was seen and photographed.

As the special information that was desired had by this time been obtained, it was unnecessary to stop at Port Simpson, charter a steam-schooner, and coast along South-eastern Alaska. This alone would have cost more than my whole trip cost.

It was considered to be in the interest of the Department that the Coast Survey Office in San Francisco be visited. Accordingly, after a few days' detention at Victoria, after returning from Alaska, I proceeded to San Francisco, viâ Portland and the Mount Shasta route. There I met Lieutenant H. E. Nichols, United States' Navy, and Mr. Lawson, who, in the absence of Professor G. Davidson, is in charge of the Coast Survey Office. Both gentlemen received me most kindly, and cheerfully answered the questions asked.

Lieutenant R. E. Nichols, United States' Navy, is in charge of the "Pacific Coast Pilot," and is at present engaged revising the edition of 1883, and expects to have another out within a year. He is the officer who began the coast-survey of South-eastern Alaska, and it was also he who had the ways built at Port Simpson for housing the steam-launches accompanying the survey-vessel. The survey of South-eastern Alaska, i.e., that portion lying east and south of Cross Sound, will soon be completed; next year there will be two parties out, working in Chatham Straits and vicinity. The

information acquired from other sources, that Port Simpson has been the base for longitude work in Alaska, was repeated to me by Lieutenant Nichols, and also that time-observations are taken at Port Simpson in the spring and fall, as well as at Port Townsend, where a circuit with the Davidson Observatory at San Francisco or Washington is had. He informed me that two coast-survey parties had been sent to the Yukon this year for taking observations to determine the intersection of the meridian of 141 degrees west longitude with the Yukon and Porcupine Rivers. The parties ascended the Yukon from St. Michael's by means of the steamer of the Alaska Commercial Company, one party to ascend the Porcupine, the other to station itself near Fifty-Mile Creek, where our Mr. Ogilvie observed. They will winter in the country, and are well supplied with instruments.

Last year there was a triangulation made of Portland Canal, or Channel, the plan of which was shown to me; on it was noticed an astronomic station on the west side of the mouth of Bear River, and in latitude $55^{\circ} 56'$, to the nearest minute.

In the coast survey, mountain peaks are put in by triangulation from shore, and if a peak is close by, and accessible, it is occupied, otherwise no inland or on-land surveys are made.

The Alaska coast survey is carried on on the same lines as Pender's hydrographic survey of British Columbia.

This is the substance of the information obtained from Lieutenant Nichols.

I was in hopes of meeting Professor G. Davidson at San Francisco, in charge of the Pacific Division of the United States' Coast and Geodetic Survey, but unfortunately found him absent, being at Paris, attending the International Geodetic Congress. The officer next in charge, Mr. J. S. Lawson, was, however, seen, and topics of professional interest in general discussed, besides ascertaining, on my part, the work being done in Alaska. On this latter topic nothing essentially new to me was learned, the gist being that two parties are engaged in determining the 141st meridian on the Yukon and Porcupine, for the purpose of establishing the boundary-line, and a third party is simply continuing the coast and hydrographic survey of former years in South-eastern Alaska.

A short detour was made to the Navy Yard at Mare Island, where I boarded the "Ranger," a two-masted schooner used for coast survey, hydrography, and deep-sea soundings. She carries two small guns, has 150 men, and 25 naval officers. The United States' coast-survey vessel "McArthur" was also lying at anchor here. Both of these vessels were engaged on the California coast during the past season, as also the "Hassler."

The opportunity was embraced, too, of visiting the Lick Observatory, on Mount Hamilton, where I remained two days, enjoying the hospitalities of the Director, Professor Edward S. Holden, and had the pleasure of examining the great 36-inch refractor, besides the numerous other instruments, gaining thereby information which will be of service in my official capacity with the Department of the Interior.

Physical Features.

The following notes on the physical features of South-eastern Alaska are based on personal observations and partly on information gathered from reliable sources.

The description will begin at Dixon Entrance and continue along the shore of the mainland northward.

The whole country is intensely mountainous.

[*Note.*—As there will be frequently occasion to refer to the "Pacific Coast Pilot," Part I, Alaska Edition, 1883, "P.C.P." will be used as a designation therefor.]

To quote from the P.C.P., p. 109, "the same type of topography prevails upon the continental border as that exhibited in the half-submerged condition of the Columbian and Alexander archipelagoes. If the latter were entirely elevated above the sea level, they would in essential features resemble the present continental border, and were the valleys of the last depressed below the sea level, a similar extension of the archipelago, without change of character, would be the result. Sumner Strait appears to be merely the prolongation seaward of the valley of the lower Stikine. In passing from Chatham Sound across Dixon Entrance, the entrance (or Portland Inlet as designated on some Charts now), to Observatory Inlet is distinctly seen, whereas the entrance to the Portland Canal or Channel of Vancouver, or Pearse Canal of the United States' Charts, now is not distinguishable, chiefly on account of the number of small islands which lie between it and the open sea. Snow-capped peaks were seen in the direction of Portland Channel and southward, they appeared to be behind foot

hills, which apparently have a long gentle sloping base towards the sea, and are all densely wooded. This gentle sloping with comparatively low banks is marked here in contradistinction to the characteristics of the mountains farther north on the Alaskan coast, where almost universally the land rises abruptly from the ocean to mountain heights. North of Pearse Island along Portland Channel the land rises abruptly from the water's edge, sometimes to the height of 6,000 ft., and the mountains are snow-clad the year round. The head of Portland Channel terminates in low, woody, swampy land, the shallows being formed by detritus carried down by the Salmon and Bear Rivers flowing from the north and discharging at the head of the canal or channel. Following the mainland shore-line northward we find it bounded on one side by immediately contiguous mountains, except where intersected by rivers.

The mountains which rise immediately from the water's edge are not always the highest ones visible, as for instance at Juneau, the adjacent mountain ridge is fully 3,000 ft. high, being above the timber line some hundreds of feet, yet beyond this mountain ridge and across the intervening valley are mountains considerably higher and naturally carrying more eternal snow.

Ascending Sheep Creek, 3 miles below Juneau, to its head, being about 4 miles in a straight line, and there climbing the adjacent mountains, which contain numerous glaciers and are at least 2,000 ft. higher than the mountain ridge immediately behind Juneau and already referred to, one can see the Auk Glacier, Lynn Canal and southward to Port Snettisham and Holkham Bay, locally known as Sumdum Bay. There seems to be a continuation of glaciers to Auk Glacier, and as far as the eye can reach all is one ice-field with bare peaks sticking out here and there. The highest peak in this vicinity appeared to be 15 to 20 miles from the coast.

From the same point of observation a distant view to the south-eastward is obstructed by the high range of mountains running along the east side of Taku Inlet.

Holkham Bay is bounded by lofty mountains.

The first glacier-ice, as floes or miniature bergs, is encountered after emerging from Wrangell Narrows. It is sent forth by the Patterson Glacier. Beyond or northward along Prince Frederick Sound, Stephen's Passage, Taku Inlet, Lynn Canal, and Glacier Bay, numerous glaciers are seen, and into the last mentioned bay the great Muir Glacier, presenting an ice-wall to the sea 1 mile wide and 300 ft. high, discharges or rather tumbles. Its neve and ice-fields extend eastward and join those of the Davidson Glacier, which empties into Lynn Canal.

An approximate estimate of the extent of the Muir Glacier with its laterals gives an area equal to about one-eighth of the whole of Switzerland.

The proximity of these ice-rivers become apparent at sea by the discoloration of the sea-water to a dirty milky colour.

The Stikine sends its glacial waters far out to sea, at the same time depositing large amounts of sedimentary matter, forming extensive shoals.

Nearly all shoals, and there are not many, in Alaskan waters are due to the action of glaciers.

At Berner's Bay in Lynn Canal the timber-line is found at an elevation of 2,000 ft., the bay is surrounded by precipitous snow-clad mountains of 5,000 ft. and upwards. Three streams enter this bay, the East Twin, Middle Twin, and West Twin, not shown on the Charts as yet.

The Peninsula separating Chilkat and Chilkoot Inlets in Lynn Canal is comparatively low and covered with brule, whereas immediately behind the west shore-line of Lynn Canal rise lofty snow-clad mountains, embracing practically the Peninsula lying between Lynn Canal and Glacier Bay.

Immediately to the west of Glacier Bay and north of Cape Spencer we encounter the St. Elias Alps, extending westward beyond the 141st meridian (boundary-line). These mountains rise immediately behind the shore-line and include the highest uplifts of the North American Continent. At the south-eastern extremity of this range the summit is about 10 miles from the shore, this distance increases slightly towards Yakutat Bay.

The summit of Mount St. Elias is about 20 miles from the sea, as determined by triangulation.

From the very mountainous character of the whole country access to the interior of South-eastern Alaska is only practicable along rivers, and of these there are but a few, besides some creeks several miles in length.

The principal rivers, the Stikine-Taku and Chilkat, rise in Canadian territory.

The rain-fall throughout South-eastern Alaska is large, yet varying considerably between different places and for different years.

The annual precipitation at Juneau is about 9 ft.

As a result of the humid atmosphere the vegetation is rank and the whole surface of the mountains below the timber-line is densely wooded.

The most common timber is the Sitkan spruce, it is softer than the Puget Sound fir, and is apt to crack or check, but is not very pitchy. The pitch is found mostly in the sap-wood and not in the heart. Three feet across the stump is an average size, and sometimes trees of 6 ft. in diameter are found. Besides this wood, hemlock is found, whose dimensions often exceed those of the spruce, but it is not utilized. Yellow cedar, balsam fir, scrub pine, poplar, and birch occur in limited quantities.

The Boundary Line.

For the purpose of reference, Articles III and IV of the Convention between Great Britain and Russia, signed at St. Petersburg, of the 16th (28th) February, 1825, are here inserted.

Article III. The line of demarcation between the possessions of the High Contracting Parties upon the coast of the Continent and the islands of America to the north-west, shall be drawn in the manner following:—

Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of $54^{\circ} 40'$ north latitude and between the 131st and the 133rd degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel, as far as the point of the Continent where it strikes the 56th degree of north latitude, from this last-mentioned point the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude (of the same meridian), and, finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the Frozen Ocean, shall form the limit between the Russian and British possessions on the Continent of America to the north-west.

Article IV. With reference to the line of demarcation laid down in the preceding Article, it is understood—

1. That the island called Prince of Wales Island shall belong wholly to Russia.

2. That wherever the summit of the mountains which extend in a direction parallel to the coast, from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude, shall prove to be at the distance of more than 10 marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia, as above-mentioned, shall be formed by a line parallel to the windings of the coast, and which shall never exceed the distance of 10 marine leagues therefrom.

Let us analyze the above.

“The southernmost point of the island called Prince of Wales Island.”

Admitting in the meantime what island Prince of Wales Island is, there can be no question what the “southernmost point is,” for there can only be one southernmost point, hence this is an indisputable point, although it might require extended surveys to determine its location.

“Which point lies in the parallel of $54^{\circ} 40'$ north latitude, and between the 131st and 133rd degree of west longitude.”

There are apparently two designations for one and the same point. The first designation or location of the point is a physical feature, irrespective of its exact geographical position. The second one relegates the point to geographical co-ordinates, without, however, defining the absolute position of the point of commencement of the line of demarcation.

In order to define the point by geographical co-ordinates it must be referred to the intersection of two lines, not merely state that the point “lies in the parallel of $54^{\circ} 40'$ north latitude, and between the 131st and 133rd degree of west longitude,” leaving an uncertainty of 2 degrees of longitude, equivalent to about 75 miles, of its position. Hence, undoubtedly the second designation is and could only be intended as explanatory of the first, to assist in identifying the vicinity in which the southernmost point of Prince of Wales Island is situated, and thereby excluding any doubt, too, what island the High Contracting Parties considered as Prince of Wales Island.

The position in longitude of the point of commencement as being “between the 131st and 133rd degree” conclusively shows that the island in question is what is now

know as Prince of Wales Island, and to assume for a moment that Wales Island, as known on the Charts now, was meant, is untenable, as it is distant about 60 miles eastward from Prince of Wales Island, and falls outside of the limits "between the 131st and 133rd degree," whereas the southern extremity of Prince of Wales Island falls very nearly in longitude 132° , the mean of the limits "between the 131st and 133rd degree" of the Convention.

It may be remarked that latitude determinations could always be more accurately obtained than those for longitude, even at the present time, although the disparity in accuracy between latitude and longitude observations in Vancouver's time was greater than now.

However, the Charts that existed at the time of the Convention, bearing upon the geography in question, were certainly sufficiently accurate to distinguish between two points $1\frac{1}{2}$ degrees apart in longitude, as the southern extremities of Prince of Wales Island and Wales Island are.

That Prince of Wales Island, as now recognized, is the one of the Convention, and not Wales Island, is obvious from the negotiations. Speaking of Prince of Wales Island, Petroff, in his official Report on Alaska to the United States' Census Office, says, p. 84, "Strange to say, this large island, which has been known to the maritime nations of the globe for over 100 years, still remains unsurveyed, and has been variously named an island and an archipelago, and accounts of natives report numerous navigable passages cutting through it here and there."

While the Alaskan matter was under discussion between Great Britain and Russia, the Russian Plenipotentiaries submitted in 1824 a *contre projet* (to the one of Sir Charles Bagot) with reference to the southern limit of Russian possessions, in which the following passage occurs: "*Comme le parallèle du 55° degré coupe l'Ile du Prince-de-Galles dans son extrémité méridionale. . . .*" From the then known geographical position, especially in latitude, of Prince of Wales Island and the island now known as Wales Island, it was evident that the 55th parallel of latitude could not cut Wales Island, lying many miles to the south of that parallel, while Prince of Wales Island, as now known, is cut by that parallel. Other references in the negotiations to "l'Ile du Prince-de-Galles" make it obvious that Prince of Wales Island, whose southernmost point approximately "lies in the parallel of $54^{\circ} 40'$ north latitude," was referred to, and never Wales Island, the creation of which latter name is of a date subsequent to the Convention.

Attention is drawn to the Map in P.C.P., opposite to p. 49, on which is shown "Boundary-line between Alaska and British Columbia," as following the parallel of $54^{\circ} 40'$ north latitude from the meridian of $132^{\circ} 30'$ to that of $130^{\circ} 30'$ west longitude, and from the latter meridian deflects into what is termed on that Map Portland Inlet, being the entrance to Observatory Inlet, as designated by Vancouver.

It is not plain on what authority the boundary-line is laid down as beginning on the parallel of $54^{\circ} 40'$ north latitude at its intersection with the meridian of $132^{\circ} 30'$ west longitude, and thence east on that parallel to the meridian of $130^{\circ} 30'$.

The perpetuation of inaccuracies may in time create a belief in the accuracy of the inaccuracy, and a non-refutation of the inaccuracy help to establish such belief.

"The said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude."

We have herein given two physical features and one geographical line as determining and limiting references for a part of the boundary-line.

The physical features are "the southernmost point of the island called Prince of Wales Island," and "Portland Channel," the geographical line being "the 56th degree of north latitude."

That these physical features were sufficiently well known to the two High Contracting Parties is evident from the fact that Charts then existed, and were referred to by the Plenipotentiaries, showing these features. In fact, the latest Charts of the most recent surveys, show no essential difference between those referred to, as delineated three-quarters of a century ago, and now. Hence, as far as the point of commencement, "the southernmost point of the island called Prince of Wales Island," and "Portland Channel," are concerned, there was practically as much known in 1824 as now, with additional surveys, and, hence, the terms of the Convention regarding this part could not be lacking in definiteness from ignorance of the physical features or the geographical position of the same.

"The said line shall ascend to the north along the channel called Portland Channel." Some commentators have adversely criticized "shall ascend to the north,"

basing their conclusions on the geographical position of the point of commencement and that of Portland Channel, which has its entrance in nearly the same latitude as the point of commencement, but over a degree to the east thereof.

The first part of the whole boundary-line may be said to extend from the southernmost point of Prince of Wales Island to a certain point on the 56th degree of north latitude.

We see, therefore, that the objective point in this part of the line is at the 56th degree of north latitude, and as the point of commencement is approximately in latitude $51^{\circ} 40'$, it necessarily follows that no matter how many courses and directions the first line may have, it must "ascend to the north."

Now, as there are various courses or directions by which it may ascend to the north, the Convention specifies and makes definite that "the said line shall ascend to the north along the channel called Portland Channel." It may be mentioned that another channel—Duke of Clarence Channel—was under discussion by the negotiators, and through which the boundary-line was to "ascend to the north" from the same point of commencement, the southernmost point of Prince of Wales Island. It would be absurd to assume that the negotiators imagined, with the geographical information before them, the line to run north from the southernmost point of Prince of Wales Island to the entrance of Portland Channel. As a matter of fact, the entrance to Portland Channel is north of the point of commencement, although the general direction between the two is east and west.

"Along the channel called Portland Channel." In the negotiations between the Plenipotentiaries we find in the correspondence, "*De là par le milieu de ce canal*" (Portland). This furnishes an interpretation of the word "along," being equivalent to "through the middle of."

By international interpretation "middle channel" means "deepest channel," *i.e.*, "middle" is dependent upon depth of water and not upon the configuration of the sides or shores bounding the waters. This is the natural interpretation too, as in water boundaries navigation is the principal consideration.

As to the name Portland Channel or Portland Canal, both names appear in editions of Vancouver's voyages for one and the same arm of the sea.

Negotiations regarding the boundary-line between the British and Russian possessions on the north-west coast of America culminated in the Convention of the (16th) 28th February, 1825; hence any geographical name occurring in such Convention must have originated prior to that date.

It is an undisputed matter of history that Vancouver in his voyages of discovery gave the name Portland Channel (Portland Canal) to a certain inlet, the entrance to which was eastward of the southern extremity of Prince of Wales Island.

As there are two arms or inlets with entrances eastward of the southern extremity of Prince of Wales Island, it may be necessary to show clearly what was and could only have been understood to be Portland Channel by the negotiators of 1825, in view of the fact that the United States' Government maintains an interpretation inconsistent with the data.

The names Portland Channel and Observatory Inlet, as given by Vancouver, were never questioned by any navigator or geographer up to 1825, the time of the Convention, as designating those features to which Vancouver applied the above names. Nor did any cartographer, British or Russian, prior to the Convention, apply those names in any other sense than the one as originally given by Vancouver. Whatever signification may have been given, or has been given, to the terms Portland Channel and Observatory Inlet subsequent to the Convention, can have no bearing on the question as establishing the meaning of these two terms at the time of the Convention. The record of Vancouver's voyages makes it most clear what arm he called Portland Channel and what arm Observatory Inlet.

To quote from vol. iv, 8vo. edition, 1801:—

"Sunday, 21st July, 1793. By sunset we entered the arm up which we expected to find this extensive inland navigation. To its south-east point of entrance I gave the name of Point Maskelyne, after the Astronomer Royal. It is situated in latitude $54^{\circ} 42\frac{1}{2}'$, and longitude $229^{\circ} 45'$." . . . Vancouver then proceeded north-easterly up this arm "until we arrived abreast of an opening about 2 miles wide at its entrance on the western shore, seemingly divided into two or three branches, taking a direction about north 18° west. The observed latitude at this time was $54^{\circ} 58'$, longitude $230^{\circ} 3'$." This was on the 22nd July, 1793.

He continued in a north-easterly course, reaching on the 25th July the head of

the inlet, "where as usual it was terminated by low swampy ground, and in latitude $55^{\circ} 32'$, longitude $230^{\circ} 16'$."

Returning "Saturday, the 27th, we set out with fair weather, and having a rapid tide in our favour soon reached the east point of entrance into the north-north-west branch, which, after Mr. Ramsden, the Optician, I called Point Ramsden, lying in latitude $54^{\circ} 59'$, longitude $230^{\circ} 2\frac{1}{2}'$ From hence we directed our course north-west, 3 miles to a low point on the larboard shore, where we found this arm to communicate with another leading in a south-west and north-north-east direction, and being in general about half a league in width. After breakfast we pursued the latter direction and steered for the eastern or continental shore." It is important to observe in the above, Vancouver's words, "where we found this arm to communicate with another leading in a south-west and north-north-east direction," clearly showing that as soon as he saw the waters which extended north-north-east and south-west (from his point of observation) did he consider them to be one and the same arm, to which he afterwards, as we shall see, gave the name Portland Channel (Portland Canal).

Vancouver pursued northward until on Monday, the 29th July, the inlet "was found to terminate in low marshy land in latitude $55^{\circ} 45'$, longitude $230^{\circ} 6'$."

On the next day he was on his way back, following the western or continental shore-line until, on the 2nd August, "we set out nearly and passed through a labyrinth of small islets and rocks along the continental shore, this, taking now a winding course to the south-west and west, showed the south-eastern side of the channel to be much broken, through which was a passage leading south-south-east towards the ocean. We passed this in the hope of finding a more northern and westerly communication, in which we were not disappointed, as the channel we were then pursuing was soon found to communicate also with the sea, making the land to the south of us one or more islands. From the north-west point of this land, situated in latitude $54^{\circ} 45\frac{1}{2}'$, longitude $229^{\circ} 28'$, the Pacific was evidently seen between north 88° west, and south 81° west. Off the point at a little distance from the mainland, was an island about half-a-mile from us, the opposite or continental shore lying north-east not quite half-a-mile distant.

Between this and the westernmost land in sight the shores appeared to be much divided, with small rocky islets and breakwaters in most directions The outermost lies nearly south-east about $2\frac{1}{2}$ miles from the point seen the former morning, and stated to be the north point of the passage leading towards the ocean."

The above is a definite description of that arm of the sea explored by Vancouver from the 27th July to the 2nd August, 1793.

After further explorations he says, "in the forenoon" (15th August), "we reached that arm of the sea, whose examination had occupied our time from the 27th of the preceding to the 2nd of this month. The distance from its entrance to its source is about 70 miles, which, in honour of the noble family of Bentinck I named Portland's Channel."

Here we have in unmistakable terms what Portland Channel is. The western shore of Portland Channel is the continental shore-line throughout.

The P.C.P., p. says, "Point Wales forms the western headland of Portland Canal or Channel, whose opposite headland is formed by Point Maskelyne. It was named by Vancouver, who says, "the distance from its entrance to its source is about 70 miles, which in honour of the noble family of Bentinck I named Portland's Canal." This last quotation is undoubtedly misapplied in the P.C.P. For, when we take the whole quotation as already given, we find that "its entrance" refers to that arm of the sea whose examination had occupied our time from the 27th of the preceding to the 2nd of this month" (August).

Vancouver was neither at Point Wales nor at Point Maskelyne, nor in the waters between them during this time, so that it is obviously incorrect to apply the quotation from Vancouver, regarding Portland Channel, for making the entrance of Portland Channel between Point of Wales and Point Maskelyne.

It has been shown that the entrance of Portland Channel is not between Point Wales and Point Maskelyne, and now to remove the slightest trace of indefiniteness as to the entrance to Observatory Inlet we again quote Vancouver! "The west point of Observatory Inlet I distinguish by calling it Point Wales, after my much esteemed friend Mr. Wales, of Christ's Hospital, to whose kind instruction in the early part of my life I am indebted for that information which has enabled me to traverse and delineate these lonely regions.

Attention is drawn to the dates when Vancouver bestowed the names "Portland Channel" and "Observatory Inlet" upon certain arms or inlets. His journey

through these waters began on the 21st July and ended on the 2nd of August following. On the 15th August he gives and records the name Portland Channel, and on the 16th August the name "Observatory Inlet." From this it is seen that he had the topography of the two arms before him from his own surveys, before he assigned the names, and as each arm had a distinct entrance to the sea Vancouver named the two arms as already stated.

In the P.C.P., p. 58, will be found the following:—

"Northward from Wales Island lies a long island separated from the main shore by a branch trending in a nearly north direction, and continuous with the upper main branch of the inlet, or Portland Channel." This statement of continuity of the upper part of the arm of the sea with the lower part is a confirmation of Vancouver's judgment in assigning the name Portland Channel as he did.

On p. 60, P.C.P., we find, "When approaching Point Ramsden, Vancouver was in doubt as to which of the two arms was the main branch of the inlet, but after his explorations it became evident that the western prolongation of the inlet is entitled to that precedence, both on account of its greater freedom from obstructions and from its length. To this portion only is now generally applied the name of Portland Canal." What is now generally understood by Portland Canal is of no matter as far as the interpretation of the Convention of 1825 is concerned. Be it furthermore pointed out that, when Vancouver was in doubt as to the main branch of the inlet, he was not aware that there were two arms of the sea extending inland, he only knew of the one whose entrance was between Point Wales and Point Maskelyne. His further explorations dispelled the idea of branches, when he found that the westernmost branch continued south-westward, to the sea itself, and had its own entrance. To assume, as is contended by the United States, that Vancouver designated as Portland Channel what is now shown on the United States' Coast and Geodetic Survey Maps as Portland Inlet and Portland Canal would leave that part of Portland Canal south of the waters connecting Portland Canal and Observatory Inlet, which he had explored, without a name, in itself a most improbable circumstance. That Vancouver should navigate such an arm seawards, and after having located its entrance to the sea, besides other topographical and geographical positions, leave it without a name, is most unlikely. However, we have positive proof that he did name it, as already given in his own words.

As the geographical position of the entrance to Portland Channel has not been clearly defined, and as the line of demarcation is to commence at the southernmost point of the island called Prince of Wales Island, thence shall ascend to the north along the channel called Portland Channel, the course between the said southernmost point and the entrance to Portland Channel is necessarily an arc of a great circle, or what is commonly called a straight or direct line. In descriptions of territorial limits, the line joining any two consecutive fixed points is always, unless otherwise expressly stated, the direct line, *i.e.*, an arc of a great circle. It may be mentioned that in all surveying operations only arcs of great circles can be directly laid down, as a great circle lies in a vertical plane, the plane in which the telescope of an adjusted transit or theodolite moves.

A parallel of latitude cannot connect the southernmost point of Prince of Wales Island and the entrance to Portland Canal, as they are not on the same parallel.

To continue with the boundary-line, "as far as the point of the continent where it strikes the 56th degree of north latitude."

The position of the boundary-line has now been discussed and brought up to the head of Portland Channel.

The data given for determining the position of the boundary-line beyond the head of Portland Channel are: the terminus of the line at the head of Portland Channel, the parallel of 56° north latitude, and that the northerly terminus of that part of the boundary-line now under discussion is on the continent (more unequivocally expressed by the words of the Convention, "*la terre ferme*").

That the negotiators could not have believed Portland Channel to extend to the parallel of 56° is evident from Vancouver's observations, which place the head of the channel or canal in latitude 55° 45', and shown thus on his Charts, and as Mr. Bayard, Secretary of State for the United States in 1885, states in a letter under date the 20th November, 1885, to Mr. Phelps, the United States' Minister to England, it "may be assumed with confidence that the Charts employed in the negotiations were those of Vancouver."

Furthermore, had such a belief obtained, then the words "*de la terre ferme*" would not only have been superfluous, but would have introduced an impossibility, for

the terminus of that part of the boundary-line cannot be in Portland Channel, and at the same time on "la terre ferme."

There is, however, some vagueness in the wording of this part of the Convention, that is, in what direction the line shall ascend from the head of Portland Channel to the parallel of 56° north latitude.

The whole line of demarcation, as laid down in the Convention, is divided into three divisions:—

1. From the southernmost point of Prince of Wales Island to the 56th degree of north latitude.

2. From this last mentioned point along the summit of the mountains situated parallel to the coast to the 141st meridian.

3. Along the 141st meridian to the Frozen Ocean.

In the original text the descriptions of these parts are respectively separated by a semicolon, showing that each part is in so far complete in itself, that it is independent of that which succeeds the semicolon:—

"Jusqu'au point de la terre ferme où elle atteint le 56° degré de latitude nord."

"Jusqu'au point," as far as the point, not a point, but the point, a definite point, on the continent, where the continent attains the 56th degree of north latitude.

The continent attains the 56th degree of north latitude on a line, an infinite number of points, but which of these latter points is to be the point is not stated nor defined in the description of the line of demarcation of this part marked first above.

By induction, however, the point on the 56th degree of north latitude can be obtained. In the description of the second part marked second above, of the line of demarcation, the boundary-line follows the summit of the mountains situated parallel to the coast as far as the 141st meridian. Granting, for the present, the existence of the mountains, the line following the summit thereof must cross the 56th degree of north latitude somewhere. If this crossing or intersection is distant more than 10 marine leagues from the ocean, the summit at the point of intersection will be more than 10 marine leagues from the shore, in which event the 2nd paragraph of Article IV provides that the international limit shall then be at a distance of not more than 10 marine leagues from the coast, so that the point of intersection will be not more than 10 marine leagues from the coast, and on the 56th degree of north latitude. Now, as the terminus of the boundary-line beyond the head of Portland Channel must be on the 56th degree of north latitude, and the beginning of the next part of the boundary-line must necessarily begin from that point where the preceding part of the boundary-line terminates, and, furthermore, be at the intersection of the line of the summit of the mountains situated parallel to the coast with the 56th degree of north latitude, or at that point on the 56th degree which is distant 10 marine leagues from the coast, it is seen that only one point fulfils the conditions imposed by parts 1 and 2 (being the terminus and beginning respectively of these parts) of the boundary-line, and without being at variance with any other part of the description. Hence, the direction of the line from the head of Portland Channel to the parallel of 56° north latitude is dependent upon the position of the line of the summit of the mountains situated parallel to the coast primarily; secondarily, upon the line parallel to the windings of the coast, in case the summit of the mountains situated parallel to the coast shall prove to be of a greater distance than 10 marine leagues from the coast.

For the second part of the boundary-line, the Convention states, "from this last-mentioned point the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude."

Three questions arise in this description:—

1. What constitutes "mountains situated parallel to the coast"?

2. What is the "coast"?

3. Do mountains exist which are "situated parallel to the coast"?

"Mountain" is defined by Webster as "a large mass of earth and rock rising above the common level of the earth or adjacent land; an elevation or protuberance of the earth's surface; a high hill; a great eminence; a mount." The same authority gives "coast" as "the edge or margin of the land next to the sea; the sea-shore." To what elevation the land must rise above the common level of the earth to constitute a mountain cannot be answered by any definite number of feet, as it depends upon the general topography of the country in question.

In the region under discussion, South-eastern Alaska, when the elevation of land

attains an altitude above the timber-line, such elevation of land may then undoubtedly be termed a mountain.

With these premises of mountain and coast it will be simpler to understand the location of the line of demarcation along the summit of the mountains.

To the question, Do mountains exist which are situated parallel to the coast? references will be made to published official Reports, and to the personal observations of the writer.

Beginning at Portland Channel, the mountains along and near the coast-line up to the 141st meridian will be considered.

We find on the Admiralty Chart, "Port Simpson to Cross Sound, including the Koloschensk Archipelago," with corrections to 1886, that the head of Portland Channel and its west shore are abutted by mountains ranging from 2,000 to 6,000 feet in height, and which are within 10 miles from the shore.

On the west side of the peninsula lying between Portland Channel and Behm Canal the P.C.P., p. 72, says, "The surrounding country" (around Smeaton Bay) "consists of steep, barren, rocky mountains, whose summits appear to be above the snow-line. Except at its head, where the land is low, these mountains rise abruptly from the water's edge, sparsely wooded with small trees."

The same authority, p. 73, states that Rudyerd Bay "penetrates to the north and east between high, barren, snowy mountains." The mountains on the continental shore at the northern entrance to Behm Canal, and surrounding the Cleveland Peninsula, are in general not so high as those on the continental shore already described; the highest given on the Admiralty Chart being 3,345 feet, situated about opposite to Ship Island.

From here northward little has been recorded of the mountains adjoining the mainland coast until the mouth of the Stikine is reached, for which the Chart opposite to p. 100, P.C.P., records the mountains near the mouth of the Stikine as rising from 2,000 to 3,700 feet.

However, it is known that mountains border the sea-coast (mainland) along Ernest Sound and to Point Rothsay.

Quoting from P.C.P., p. 109, "Passing from Wrangell anchorage in a south-west direction the tangent of Kadin Island N. $\frac{1}{2}$ E. cuts the centre of the canon of the coast mountains on the mainland, through which the Stikine River reaches the sea." Under heading of "Stikine River," the last authority states, p. 111: "About 5 miles above the Delta Islands the valley narrows, and the river appears only 200 or 300 feet in width. . . . The appearance of the high land on either side is as if ranges trending north-west and south-east were abutting obliquely upon the river." That is, parallel to the coast.

From the Stikine northward the coast-line adjoins Souchoi Strait. "The continental shore of this strait is very imperfectly known."—P.C.P., p. 112.

To the north of the entrance of this strait "lies a low wooded point, which was named Point Agassiz on account of its association with the remarkable and sublime glaciers in its immediate vicinity. These creep from the snowy summits of ravines on the coast range towards the water's edge, which at certain seasons they overhang. . . . A short distance northward from Point Agassiz is a magnificent glacier, with three feeders in the coast mountains, which discharges its burden of ice directly into the water. . . . In this vicinity (Horn Cliffs), in certain places at least, according to Vancouver, there is a small extent of low flat land, well wooded, lying before the coast mountains, which rise abruptly to an extraordinary height."—P.C.P., p. 127.

Following the continental shore-line northward from Cape Fanshaw, of the first large bay encountered Vancouver observes: "It is bounded by lofty mountains, and from their base extends a small border of low land, forming the shores of the harbour, which I called Port Houghton."—P.C.P., p. 128.

Continuing northward from Port Houghton, mountains adjoin the seashore, and at Holkham Bay Vancouver describes the bay as "bounded by lofty mountains."—P.C.P., p. 168.

Point Coke is at the northern entrance to Holkham Bay, and "the land between Point Coke and the present promontory (Point Anmer) is backed by lofty and rather bare mountains, their sides scarred by avalanches, and displaying, about 3 miles east-south-east from Point Anmer, a remarkable cascade, which falls from a ravine into the sea."—P.C.P., p. 168.

Mountains follow the continental shore-line northward from Holkham Bay around Port Snettisham.

Of Stockade Point and Grave Point, the entrance to Taku Harbour, the P.C.P., p. 169, says: "Both are wooded, comparatively low points, from which high land rises rapidly to peaked, often snow-capped mountains."

Vancouver thus describes Taku Inlet: "From its entrance it extended north 11° east (true) about 13 miles, where the shores spread to the east and west, and formed a basin about a league broad and 2 leagues across, in a north-west and south-east (true) direction, with a small island lying nearly at its north-east extremity. From the shores of this basin (August 1794) a compact body of ice extended some distance nearly all round, and the adjacent region was composed of a close connected continuation of the lofty range of frozen mountains, whose sides, almost perpendicular, were formed entirely of rock, excepting close to the water-side, where a few scattered dwarf pine trees found sufficient soil to vegetate in; above these the mountains were wrapped in undissolving frost and snow. From the rugged gullies in their sides were projected immense bodies of ice (glaciers), that reached perpendicularly to the surface of the water in the basin, which admitted of no landing-place for the boats, but exhibited as dreary and inhospitable an aspect as the imagination can possibly suggest."—P.C.P., p. 170. The mountains along the east shore are described as "a continuation of the same range of lofty mountains, rising abruptly from the water's edge."—P.C.P., p. 170.

Immediately behind Juneau, on Gastineau Channel, mountains rise above the timber line.

"Westward from the town is a deep ravine in the mountains, through which runs Gold Creek."—P.C.P., p. 172.

Of Lynn Canal the P.C.P., p. 194, states: "By reason of the fact that the glaciers terminate some distance inland from the shore, resulting from the more gradual slope of the Alps on the south-west and the coast ranges on the north-east shores, this canal is free from floating miniature bergs, which at times obstruct Cross Sound and Gastineau Channel, although the latter are a degree southward of the head of Lynn Canal."

Lynn Canal is undoubtedly surrounded by mountains contiguous to the shore.

In describing Berner's Bay, the P.C.P., p. 195, observes that "a stream comes in at the head of the bay; the north-west point of entrance, named by Vancouver 'Point St. Mary's,' lies N.W. $\frac{3}{4}$ N., $4\frac{1}{2}$ miles from Point Bridget, like which it is low and wooded, while its axis rises inland to mountains covered with snow, attaining a considerable height, and constituting a part of the coast ranges which have been repeatedly alluded to. From this point about 5 miles north-west by west lies Point Sherman, named by Meade, apparently low and wooded, from which the north-eastern shore of Lynn Canal extends high, steep, and rocky, at the base of the imposing mountains above mentioned."

On the page last quoted is given a description of the western shore of Lynn Canal, as follows: "Behind the shore the land rises in lofty snow-capped mountains, forming part of the coast ranges." Quoting the same authority, p. 196: "On the eastern shore, extending from the head of the canal southward to Point St. Mary's, is a high, rugged chain of precipitous mountains, named the 'Chilkat Mountains' by the United States' Coast Survey in 1879. Those of the opposite shore have been called by the United States' Navy the 'White Mountains.'"

In describing Chilkoot Inlet the P.C.P., p. 199, states: "The opposite" (continental) "shore is composed of lofty, steep mountains, forming the Chilkat range, with several glaciers in their gorges, and one at the head of a moderately long, narrow valley."

"The mountains culminate at the north-west in Mount Villard, 3,700 feet high by barometric measurement."

Between the head of Lynn Canal and the broad waters of the Pacific Ocean, and immediately north of Glacier Bay, lie immense ice-fields, covering an area of upwards of 2,000 square miles.

These ice-fields are drained by numerous glaciers into the sea.

From Lynn Canal the open sea is reached by Cross Sound.

Its "north-western shores are mostly high, formed by the slopes of the great snowy range of the St. Elias Alps."—P.C.P., p. 186. The western entrance of this sound lies between Point Bingham, on Yakobi Island, and Cape Spencer, on the mainland.

Northward, from Cape Spencer to Icy Point, the continental shore-line trends north-westerly.

"Immediately behind the coast-line up to this point is the southern portion of the range of the St. Elias Alps, which extends westward nearly to the Copper or Atna

River, and includes the highest uplifts yet known on the North American Continent. The sides of these Alps bear numerous glaciers, some of great extent, and a few reaching to the sea-beach itself."—P.C.P., p. 201.

From outside the entrance of Lituya Bay, looking north, one sees the "magnificent sierra-wall of Alps which culminates elsewhere in the peaks of Crillon and Lituya. Down its precipitous slope five or six glaciers fall in true ice cascades to the water's edge."—P.C.P., p. 203.

In 1874 Professor W. H. Dall, of the United States' Coast and Geodetic Survey, triangulated Mounts St. Elias, Cook, Vancouver, Fairweather, and Crillon, all of the St. Elias Alps, and determined their height. In the United States' Coast Survey Report for 1875 the result of his labours is given, accompanied by a Map, from which it will be seen that the summits of these mountains are all less than 30 miles from the sea-coast, the last two less than 15 miles.

"Northward from Fairweather to Yakutat Bay there are no remarkable peaks, the range averaging 5,000 to 8,000 feet, with nearly uniform summits and rugged surface."—P.C.P., p. 205.

Between these two points along the shore lies the Tianna Road. "This strip of shore is thickly wooded near the sea, with more open spaces inland. The Alps which bound it to the north at a distance of 7 to 10 miles from the sea carry numerous glaciers."—P.C.P., p. 206.

In Yakutat Bay steep mountains covered with snow rise directly from the water.

"From Port Mulgrave and thence to the westward the most conspicuous spectacle in clear weather is that part of the uplift of the St. Elias Alps which extends in a westerly direction from a point inland some 18 miles north-north-west from Disenchantment Bay. This forms a broken range 10,000 or 12,000 feet in height, with its sides and many of its peaks covered with eternal snow. It terminates westward in the magnificent peak of St. Elias."—P.C.P., p. 211.

In fair weather this grand peak is visible at a distance of more than 150 miles.

The interior of Alaska, as little as it is known, is very probably aptly described as "a sea of mountains." The moment the mountains situated parallel to the coast and adjoining the same are crossed, there is no well-defined continuous range; it is a sea of mountains, but, rising from the coast everywhere, we have a wall of mountains, save some low lands at the foot of the Mount St. Elias Alps.

From the foregoing evidence it is obvious that mountains do exist, "situated parallel to the coast," and hence the line of demarcation can "follow the summit of the mountains situated parallel to the coast," as stipulated by the Convention, and, furthermore, it is improbable from the facts already known that there will be any occasion at any part of the line of demarcation to have recourse to the second paragraph of Article IV of the Convention, which provides for the case where the summit of the mountains is at a distance of more than 10 marine leagues from the ocean.

In short, the summit of the mountains situated parallel to the coast is not more than 10 marine leagues from the shore.

The last part of the boundary-line, the 141st meridian, is a matter of astronomic observation, and needs here no further elucidation.

Discussion of Mountain Boundary.

Regarding the mountain boundary, the negotiators of the Convention were fully aware of the lack of definite information regarding the topography of that part of the continent under discussion. This is patent from the correspondence between them, and finally by the insertion of the second paragraph in Article IV of the Convention.

On the 8th December, 1824, the Right Honourable G. Canning, Secretary of State for Foreign Affairs, wrote to Sir Stratford Canning, British Plenipotentiary at St. Petersburg, "Should the Maps be no more accurate as to the western than as to the eastern" (eastern side of continent) "mountains, we might be assigning to Russia immense tracts of inland territory, where we only intended to give and they only intended to ask a strip of sea-coast."

And well was this strip defined, as is now evident, by having made the line of demarcation follow "the summit of the mountains situated parallel to the coast."

It is questionable if at the present time, with the accumulation of knowledge of seventy-five years, the description of the mountain boundary-line could be couched in better words, and at the same time retain and give the idea which was to be conveyed—a strip along the sea-coast.

The summit of the mountains is a natural boundary, a visible one, where nature has set the principal monuments.

That the Charts of Vancouver were the principal guide for the negotiators for ascertaining the geographical, but not topographical, characteristics is undoubted.

Vancouver's prime object in surveying was the delineation of the shore line; the mountains shown on his Charts were merely graphical representations of the mountainous nature of the country, without attempting to localize them individually.

This method is familiar to every one who has been engaged in exploratory surveys.

In the United States' Coast Survey Report, 1886, p. 155, Professor G. Davidson, in speaking of the early voyages of discovery and exploration on the north-west coast of America from 1539 to 1603, says: "The minuteness of record in Cook and Vancouver, of comparatively recent date, has enabled me to follow their tracks day by day, to correct their positions by personal knowledge of the localities described; whilst giving these great men the fullest credit for surveys unparalleled before or since (when all the attendant circumstances are considered), I cannot withhold my admiration for the indomitable courage and perseverance of the old Spanish navigators. . . ."

Under the heading "The Coast and Inland Waters of the Alexander Archipelago," the P.C.P., p. 49, says, "The incomparable Vancouver is still the chief and most trustworthy authority. . . ."

The alternative boundary-line of the second paragraph of Article IV is, from a surveying point, utterly and entirely impracticable. As an illustration of the difficulties arising by referring one boundary-line as dependent upon another not straight, may be cited the railway belt in British Columbia, and this is a comparatively very simple case compared with the difficulties involved in the paragraph cited.

By the Imperial Order in Council of the 16th May, 1871, British Columbia conveys in trust to the Dominion ". . . . not to exceed 20 miles on each side of said line" (railway line). "Twenty miles on each side of said line" is a simple and unequivocal description of the railway belt.

Its demarcation on the ground, however, irrespective of mountains, is by no means so simple.

The computation alone for this belt, to determine its limits with reference to section lines, would occupy about a year; the time for delimitation on the ground is as yet an unknown quantity, even approximately.

With the difficulties of the railway belt the chief officers of the Technical Branch of the Department of the Interior are severally familiar.

Knowing the mathematical intricacies involved by so apparently simple a case, dependent upon the gentle swaying of a railway line through the country, to what degree those intricacies would be heightened, where an irregular and labyrinthal coast-line is to be dealt with, may in a degree be imagined.

In the Report of Alaska by Ivan Petroff, issued by the Census Office, Washington, 1884, is found the following, p. 81: "A survey, with a view of locating the boundary in accordance with the obscure wording of the Treaty, would be altogether too costly, but a straight line between certain easily defined points agreed upon by mutual consent would solve a difficulty which promises to arise in the near future, owing to the discovery of valuable mineral deposits on the very ground placed in dispute or doubt by the old Treaty. It may be stated here that a line from the point above mentioned, on the 56th parallel, to the intersection of the 65th parallel with the 141st meridian, would nearly follow the present line in South-eastern Alaska, while it would give to the United States one of the head branches of the Yukon River, the main artery of trade of the continental portion of Alaska, which is now crossed by the boundaries at a point considerably below the head of steam navigation.

To absorb several thousand square miles of Canadian territory is a gratuitous suggestion of the Special Census Agent in his official Report.

To substitute a geodetic line or lines for the mountain boundary would make it very simple to plot the boundary-line on Maps accurately without any survey, but such a boundary-line could only be identified on the ground by a survey.

In a mountainous country like Alaska, such a survey would require far more monuments to be placed along the line than in the case of a mountain boundary where Nature has planted the principal ones, requiring only to be recognized as such.

In the former case the boundary-line would be a straight line, practically impossible to define on the ground on account "of the sea of mountains."

As a straight line cannot be run up and down mountains, through canons, and

over peaks, it would be necessary to determine most accurately certain numerous points in longitude and latitude along the coast, for the purpose of carrying surveys inland from them along some valley, and thereby determine a point or points on the boundary-line.

The conditions which obtain in the one case are almost the inverse of the other. With a geodetic boundary nothing is given in the field, except possibly the termini, if physical features, with the mountain boundary the principal data are given in the field, requiring only to be recognized as such by the respective Governments.

In the first case the boundary-line is wholly dependent upon the accuracy of astronomical observations and surveys; in the latter case such observations are of secondary importance, being used principally for mapping purposes, and their accuracy does not affect the position of the boundary-line.

Even from this short description and comparison of the two boundary-lines, a geodetic and a mountain line, it must be apparent that the cost for surveying the former, or geodetic line, would be much greater than that of the latter, which itself will assume no small proportions.

The insertion of the first paragraph of Article IV was necessary in order that Prince of Wales Island belong wholly to Russia, which would not necessarily have followed by the boundary-line running from the southernmost point of Prince of Wales Island north along Portland Channel.

This precaution for inserting that paragraph appears natural, as the latitude of the two governing points, as known to the negotiators, showed that the boundary-line might cut a part of Prince of Wales Island, whose coast-line was then not accurately surveyed. This paragraph negatives most conclusively also the supposition that the boundary-line was to follow a parallel of latitude after leaving the southernmost point of Prince of Wales Island. For, if the line of demarcation commences at the southernmost point of Prince of Wales Island and then continues on a parallel of latitude, it is utterly impossible to cut Prince of Wales Island (for this would be equivalent to saying that there was some other point on Prince of Wales Island farther south than the southernmost point, which of course is absurd), and there can be no occasion for making a proviso "that the island called Prince of Wales Island shall belong wholly to Russia."

As the latitude of the entrance to Portland Channel was supposed to be (as it is too) greater than that of the southernmost point of Prince of Wales Island, it was proper, if Prince of Wales Island was to belong wholly to Russia, to introduce the paragraph in question.

On "The Map of Alaska and adjoining Territory, 1887," issued by the United States' Coast and Geodetic Survey, and accompanying this Report, will be found a fair representation of the mountains in South-eastern Alaska "situated parallel to the coast," the summit of which constitutes the boundary-line between the 56th degree of north latitude and the 141st degree of west longitude.

There are as yet no industries in the interior of South-eastern Alaska, save behind Juneau in the Silver Bow Basin, where some placer mining is being done, and where there are also two small stamp mills working on a gold ledge of free-milling ore.

At Sheep Creek, 3 miles below Juneau, silver ledges containing galena and a sulphuret of silver are being worked. The ore is shipped to San Francisco for treatment.

The mining being done here on the mainland is carried on by men of small capital, with a single exception, and hence lacks development, and the results obtained are indifferent.

A long tunnel, to cost 150,000 dollars, is being run in the basin for doing some hydraulic mining on a bank 85 feet high.

The farthest northern industry on the south-eastern coast is the salmon canneries at the head of Lynn Canal, about opposite to Pyramid Island, two being on the eastern shore and one on the western one.

So that there is as yet no industry carried on between the line of the "summit of the mountains situated parallel to the coast," and the line distant "10 marine leagues from the coast," and hence, at present, no trouble can arise between the interested Governments caused by private ownership of mineral locations between these two lines.

There is no doubt that the want of full territorial government for Alaska, and the withholding of the general United States' Land Act, has up to the present retarded the development of South-eastern Alaska, which fact has been conducive to the prevention of questions of international territorial jurisdiction.

It is well known that the head-waters of the Yukon River lie in Canadian territory, and that the prospecting for gold and placer mining is done mostly on that part of the Yukon lying within Canada; and furthermore, that all the supplies used by the prospectors and miners there come from the United States, mostly by steamer up the Yukon, and without paying duty.

Similarly for the goods going into Canada by way of Chilkoot, the usual route taken by prospectors.

From information obtained from a prospector lately from the Yukon there would appear to be not more than 300 miners on the upper part of that river, from which number an approximate idea of the consumption of dutiable goods can be made.

This of course does not take into consideration the goods introduced for barter with the interior Indians.

The loss of the duty at present is perhaps the less objectionable feature of the condition of affairs; the greater and unavoidable one is that the gold is carried out of Canada by Americans and spent in the United States, without Canada deriving any benefit from its mineral resources on the Yukon.

Canadians are practically debarred from access to the Yukon through their own country save by a long and circuitous route from the east.

In the November number of the "Forum" appeared an article on "American Rights in Behring's Sea," by President J. B. Angell, United States' Minister to China in 1880, and one of the late International Fishery Commissioners during President Cleveland's administration. The above article, coming from such a source, warrants consideration and criticism.

After disposing of the Behring's Sea question, the writer briefly discusses the question of determining the boundary between Alaska and British America.

Quoting from the article: "The principal difficulties which have been suggested in determining and marking the boundary are the following: Some of the Canadians have maintained (I am not aware that the British Government has taken such a position) that our Maps do not correctly indicate the initial point of the line at Portland Channel. Their contention is probably without good ground." The wording "that our Maps do not correctly indicate the initial point of the line at Portland Channel" appears somewhat obscure. From one interpretation of this sentence it may be inferred that the initial point of the line of demarcation is at Portland Channel. This interpretation is evidently inadmissible from the wording of the Treaty.

The other construction, and the one probably meant, is that the initial point of that part of the line of demarcation which ascends along Portland Channel is not correctly indicated on the United States' Maps. By this it would appear as if Canadians accepted Portland Channel as shown on the United States' Maps, but maintained "that our Maps do not correctly indicate the initial point of the line at Portland Channel."

This is not the Canadian contention at all. The Canadian contention is that the United States' Maps show the initial point of that part of the line of demarcation which ascends along that arm of the sea known, at the time of the Anglo-Russian Convention, as Portland Channel (or Portland Canal) to be at the entrance of Observatory Inlet. In short, Canada disputes the interpretation given on United States' Maps of Portland Channel of the Convention of 1825.

Continuing: "Again, while the Treaty provides that the 'line shall follow the summit of the mountains,' it is affirmed, and, so far as we know, with probable truthfulness, that the mountains do not form a range, but are so scattered here and there that it is impracticable to make a line that shall comply with the Treaty." It would have been better, for a clear understanding, to have given the above quotation from the Convention to the end of the sentence, "shall follow the summit of the mountains situated parallel to the coast."

"That the mountains do not form a range" is introducing an unnecessary argument, especially when the main question, "Do mountains exist situated parallel to the coast?" is not touched upon at all. It is essential to adhere strictly to the words of the Convention.

The word "range" does not occur in the Convention.

Quoting again from Mr. Angell's article: "Furthermore, suppose it were practicable to run a line on the summit, the coast is so irregular, and so indented with bays, that it may not be easy to agree on the line from which to lay off the ten marine leagues referred to in the second paragraph of Article IV."

The reasoning and chain of connection in this sentence do not appear very clear. If the line runs "on the summit," the irregularity of the coast-line does not affect its

position, and there is no occasion to measure 10 marine leagues from the coast. If, on the other hand, the conditions are such that the second paragraph of Article IV is to be applied, then the line is to run "parallel to the windings of the coast;" this would make the line run across the mountains, and not "on the summit."

It is considered worth while to discuss a part of the Report of Professor W. H. Dall to ex-Secretary of State Mr. T. F. Bayard. That Professor Dall is probably the best informed man on North-western Alaska is admitted, but this does not establish him as an authority on South-eastern Alaska—say from Lynn Canal down to Portland Channel.

An examination of the Annual Reports of the United States' Coast Survey, with which Professor Dall was connected from 1871 to September 1884, fails to show that he ever did any work on or along the mainland in South-eastern Alaska. His farthest explorations and works south on the mainland were north of Cross Sound.

His having been engaged for nearly nine years exploring and surveying the Territory by no means establishes a knowledge of some particular and limited area under discussion. When it is remembered that Alaska covers something like 500,000 square miles of wilderness, the probability of the foregoing assertion becomes apparent.

Professor Dall is an eminent scientist, but his authority on South-eastern Alaska cannot be admitted as conclusive.

Professor Dall says: "We have no good topographical Maps of this part of Alaska, but, having been engaged nearly nine years exploring and surveying the Territory, I assert, without fear of contradiction, that nothing of the sort" (depicted by Vancouver) "exists. We have, instead, what has been aptly called 'a sea of mountains,' composed of short ranges with endless ramifications, their general trend being parallel with the general curve of North-western America, but, so far as their local parts are concerned, irregular, broken, and tumultuous to the last degree. In certain places, as from Cape Spencer to Yakutat Bay, we have the nearest approach to such a range, but even here are broad valleys, penetrating an unknown distance, and lateral spurs given off in many directions. These Alps rise conspicuously above their fellows, but to the eastward another peculiarity of the topography is that the hills or summits are nearly uniform in height, without dominating crests and few higher peaks.

"The single continuous range being non-existent, if we attempt to decide on the 'summit' of the mountains we are at once plunged into a sea of uncertainty. Shall we take the ridge of the hill nearest the beaches? This would give us, in many places, a mere strip of territory not more than 3 miles wide, meandering in every direction. Shall we take the highest summits of the general mass of the coast ranges? Then we must determine the height of many thousands of scattered peaks, after which the question will arise between every pair of equal height and those nearest to them. Shall we skip this way or that, with our zigzag, impossible to survey except at fabulous expense and half-a-century of labour? These peaks are densely clothed with trees and deep soft moss and thorny underbrush, as impenetrable and luxuriant as the savannahs of Panamá. In short, the 'summit of the mountains' is wholly impracticable."

It is rather striking that the Professor avoids using the words of the Convention, "the summit of the mountains situated parallel to the coast."

It would have been instructive to learn from him whether or not mountains exist which are "situated parallel to the coast." He says--the single continuous range being non-existent--this introduces a discussion what a "range" is, and what a "single continuous range" is, words which do not appear in the Convention at all, and hence are not warranted when the definitive words, "mountains situated parallel to the coast," are given.

"Shall we take the ridge of the hill nearest the beaches? This would give us in many places a mere strip of territory not more than 3 miles wide, meandering in every direction."

The extensive quotations from the P.C.P. and from personal observations fail to elicit many "ridges of hills nearest the beaches," but instead, the mountains rise abruptly from the water's edge. The manner in which Professor Dall states, "This would give us in many places a mere strip of territory not more than 3 miles wide," cannot but impress one that such a strip is inconsistent with the terms of the Convention. Not at all.

The gist of Russia's claim was control of as much sea-shore as possible for the purpose of trading, and not land; and, in accordance with this dominant idea, the Convention was framed.

Hence it is quite consistent with the spirit and wording of the Convention, that the strip may be in places "not more than 3 miles wide."

As for "meandering in every direction," this is a somewhat broad statement; but undoubtedly the physical features are such that the "strip" will meander in many directions.

"Shall we take the highest summits of the general mass of coast ranges?" A proper answer to this is—admit first that there are "mountains situated parallel to the coast," and then, after we have those physical features before us to deal with, no serious difficulties will be encountered in determining what summit to accept as being on the boundary.

"Shall we skip this way or that, with our zigzag, impossible to survey except at fabulous expense and half-a-century of labour?" It is supposed that the Commissioners in the field, to whom any matter of detail would be referred, will be imbued with the desire to have practical, amicable, just, and speedy decisions.

The "fabulous expense and half-a-century of survey" can be brought about by delay, through petty contentions, and by doing unnecessary work.

The two interested Governments certainly do not intend to build a fence of monuments from the parallel of 56° north latitude to the 141st meridian.

Where monuments shall be placed can only be determined in the field, and governed by circumstances.

The tenour of Professor Dall's Report is the impracticability of the physical boundary as specified in Article III of the Convention. Had the boundary-line between the 56th parallel and the 141st meridian been described simply as following "the summit of the range of mountains," then there would have been some justification in Professor Dall's remarks and strictures as quoted.

Examining carefully a Map of Europe, one is struck at the almost universal physical boundaries between the various countries, and many of them as mountain boundaries.

Take, for instance, Switzerland and Austria (Bohemia). Can it be maintained that the Erz Gebirge between Germany and Austria, which do not form a complete watershed, are more easily defined than the mountains "situated parallel to the coast" in South-eastern Alaska?

Switzerland, that "sea of mountains," in a measure, has a boundary-line that "skips this way and that way, meandering in every direction;" but here in America the physical boundary of South-eastern Alaska, as well defined probably as any mountain boundary in Europe, is considered impracticable and impossible to survey. This does not seem reasonable.

It may be mentioned that the political boundaries of Switzerland do not coincide throughout with those of Nature. This fact makes the boundary more difficult to follow.

There are several of the States of the United States which have their political boundaries formed by mountains. For instance, the south-eastern boundary of Kentucky, the eastern boundary of Tennessee, and the western boundary of Montana.

In Bulletin No. 13, p. 122, United States' Geological Survey, is found that "the Territory of Montana was organized on the 26th May, 1864, from a portion of Idaho. Its limits, which have been changed but slightly, are given in the following extract from the organizing Act:—

"That all that part of the territory of the United States included within the limits to wit: Commencing at a point formed by the intersection of the 27th degree of longitude west from Washington with the 45th degree of north latitude, thence due west on said 45th degree of latitude to a point formed by its intersection with the 34th degree of longitude west from Washington, thence due south along said 34th degree of longitude to its intersection with the 44th degree and 30 minutes of north latitude, thence due west along said 44th degree and 30 minutes of north latitude to a point formed by its intersection with the crest of the Rocky Mountains, thence following the crest of the Rocky Mountains northward till its intersection with the Bitter Root Mountains, thence northward along the crest of said Bitter Root Mountains to its intersection with the 39th degree of longitude west from Washington, thence along said 39th degree of longitude northward to the boundary-line of the British possessions, thence eastward along said boundary-line to the 27th degree of longitude west from Washington, thence southward along said 27th degree of longitude to the place of beginning, be, and the same is hereby created into a temporary Government by the name of the Territory of Montana." (Thirty-eighth Congress, First Session.)

Why it should be practicable to have a boundary-line "following the crest of the Rocky Mountains northwards till its intersection with the Bitter Root Mountains, thence northward along the crest of said Bitter Root Mountains to its intersection with the 39th degree of longitude west from Washington," and "the summit of the mountains" (occurring in the Anglo-Russian Convention of 1885) be wholly impracticable, as stated by Professor Dall, is not easily discerned.

It cannot be urged that the mountain boundary of Montana is synonymous with the line of the continental watershed, and hence practically indisputable. Examination will show that only the south-eastern part of the boundary is coincident with the line of the continental watershed. The query of Professor Dall, "Shall we take the highest summit of the general mass of the coast ranges?" might with equal propriety be put in the case of Montana, by asking, "Shall we take the highest summit of the general mass of the Rocky Mountains?"

It is not known to the writer that the last question has ever arisen, and if it does, it undoubtedly will find a speedy solution between amicably disposed States.

There are probably very few Treaty boundaries extant which, if put under the dissecting knife of one disposed to find fault, would not be found to have flaws.

It is necessary that one be familiar with the causes and reasons that led to the making of a Treaty in order to imbibe the spirit and intent thereof, whereby possibly ambiguous or obscure passages may the more readily be understood.

Many cases might be cited from Treaties, Conventions, and Agreements wherein physical features or monuments are referred to geographical co-ordinates, as has been done with the "southernmost point of the island called Prince of Wales Island."

In the Treaty of Washington of the 9th August, 1842, is found, United States' Geological Survey, Bulletin No. 13, p. 17: ". . . thence along said line to the said most north-western point" (of the Lake of the Woods), "being in latitude $49^{\circ} 23' 55''$ north, and in longitude $95^{\circ} 14' 38''$ west from the Observatory at Greenwich. . . ."

The principle involved in this description is identical with that of the Anglo-Russian Convention of 1825 concerning the point of commencement of the boundary-line. In both there is a physical feature, and in both the geographical position of those physical features is given.

The physical feature is always absolute, the geographical position of the physical feature is always approximate, no matter how refined the observation.

The better the observation the nearer the approximation.

Abstractly considered, as an axiom it may be laid down that the position of physical features or monuments and the geographical or geodetic expression for such position, are incompatibles.

What is really meant by these geographical or geodetic expressions is, "to the best of our knowledge and belief, said . . . is situated in latitude . . . , longitude" This is simply done to insure the identification of the physical feature.

Undoubtedly a geographical position can be made absolute, but only by disassociating it from any physical feature.

As an example may be given the north-east corner of Montana, United States' Geological Survey, Bulletin No. 13, p. 122: "Commencing at a point formed by the intersection of the 27th degree of longitude west from Washington with the 45th degree of north latitude, thence"

This point can only be determined by observation, and different sets of observations will very probably not give the same point upon the earth. The dependent physical point will shift with every set of observations for determining the same, whereas with the given physical feature its geodetic position shifts with every observation. Nevertheless, the refinements in astronomic observations are at the present time of such precision that for practical purposes the differences, resulting from various determinations, are so small that they may generally be disregarded.

When the description of a boundary-line has been referred to mathematical points, dependent upon geographical co-ordinates, to give effect to such boundary-line, material points must be substituted for the mathematical ones.

This is generally accomplished by a Joint Commission determining by observations the position of the boundary-line on the ground, and the result of its labour ratified by the interested and proper authorities. This latter act is in reality an inversion of the strict wording of the boundary-line, for now, by the act of ratification, certain monuments planted under authority "shall" mark and designate certain points of said boundary-line, whether they are exactly where they should be or not.

It is seen, therefore, that in the end we have always to deal with a material point or physical feature, irrespective of its absolute geographical position.

Although the following may be irrelevant to the subject-matter under discussion, nevertheless the tenour thereof is worthy of the attention of Canadians, when negotiations with the United States are contemplated for settling the Alaskan boundary.

In a public document, United States' Geological Survey, Bulletin No. 13, p. 20, is found :—

"The Treaty of Cession" (France to the United States) "which bears date April 30, 1803, describes the territory only as being the same as ceded by Spain to France by the Treaty of San Ildefonso.

"From this it appears that the territory sold to the United States comprised that part of the drainage basin of the Mississippi which lies west of the course of the river, with the exception of such parts as were then held by Spain. The want of precise definition of limits in the Treaty was not objected to by the American Commissioners, as they probably foresaw that this very indefiniteness might prove of service to the United States in future negotiations with other Powers. In fact, the claims of the United States to the area now comprised in Oregon, Washington, and Idaho, in the negotiations with Great Britain regarding the north-western boundary, was ostensibly based, not only upon prior occupation and upon purchase from Spain, but also upon the alleged fact that this area formed part of the Louisiana purchase. That this claim was baseless is shown not only by what has been already detailed regarding the limits of the purchase, but also by the direct testimony of the French Plenipotentiary, M. Barbe Marbois."

With the foregoing before us, it is not unfair to assume that, if the United States think (which apparently they do) that there is any "indefiniteness" in the Anglo-Russian Convention of 1825, they would also be inclined to foresee "that this very indefiniteness might prove of service to the United States.

Canada must zealously guard her interests.

The Boundary Survey.

As before stated, the boundary-line resolves itself into three parts :—

1. The water boundary, and the part from the head of Portland Channel to the 56th parallel.
2. The mountain boundary from the 56th parallel to the 141st meridian.
3. The line of the 141st meridian.

The second part is by far the most important for consideration. It is futile to lay plans for survey, if there is no definite understanding what is to be surveyed. Hence, before any satisfactory suggestions can be made regarding the survey of the boundary-line, Great Britain (or the more interested party, Canada) and the United States must come to a definite understanding on the three following principal points :—

1. The point of commencement of the line of demarcation or boundary-line.
2. What is Portland Channel or Canal as understood by the Anglo-Russian Convention of 1825?
3. Are there "mountains situated parallel to the coast" between the parallel of 56° north latitude and the meridian of 141° west longitude?

It is firmly believed that there are sufficient data to hand to settle these points without going in the field.

This could be done by the appointment of two Commissioners, one for Canada and one for the United States.

These Commissioners, after being vested with the necessary authority, to meet, discuss, and confer with each other on the points referred to.

After a full discussion, the Commissioners to make a joint Report to their respective Governments on such points as have been mutually agreed upon, besides making individual Reports to their respective Governments on those questions which have failed to receive a mutual solution.

These Commissioners should draft a plan for co-operation in the field, for co-operation will be necessary when the boundary-line question has reached that stage.

The Canadian Commissioner could ascertain too at Washington the details of the triangulation and astronomic work which has already been done on the coast of South-eastern Alaska, work upon which the boundary survey may be based for topography to a greater or less extent, and thereby avoid a repetition of observations and unnecessary cost.

The survey of the "summit of the mountains situated parallel to the coast" is not only feasible and practicable, but easier than the survey of a geodetic line, which would, from the nature of the country, be farther removed inland amongst the mountains, and not so accessible from the coast as the former one.

The estimate of 1,500,000 dollars which has been made for the cost of the boundary-line survey is considered far greater than is necessary for Canada or Great Britain to expend therefor.

Outside of the 141st meridian and the 56th parallel there will be very little to survey to find the boundary; the surveying will be simply to show on paper, *i.e.*, on Maps, where the boundary as found on the ground is, and to show where monuments have been placed, so that in future reference can be made thereto if necessary. Any special refinements in survey along the mountain boundary—the important part—on the part of Canada would be money unwisely applied, as there are other parts of Canada in greater need of accurate surveys than the mountains of the Alaskan boundary-line.

Were Canada in a position to utilize otherwise any refined surveys that she might make there, as the United States can do, then there would be some plea for such a class of work.

The United States having the sea-coast can apply—and are in need of, it might be added—the best work for the purposes and safety of their navigation; hence they would be naturally more inclined to do more and more refined work than would be desirable or necessary for Canada to undertake in the boundary matter.

It must not be inferred that any slipshod work is advocated; on the contrary, but to be trite by repetition, surveying does not create the boundary, Nature has done that, surveying interprets in geographical terms Nature's work, and brings the boundary matter to an international conclusion.

As the expense of survey will be no small sum, and the work extend over several years, all discussion possible should be made before taking the field, and all questions admitting of solution beforehand should be disposed of, in order to economize time and money in the field.

Finally summarizing, Canada must adhere to the "summit of the mountains situated parallel to the coast," for if their existence be disclaimed, for which there is no evidence so to do, and as line of demarcation one substituted composed of "right lines having geodetic termini," as styled by ex-Secretary of State Mr. T. F. Bayard, Canada would be plunged into a sea of trouble, with increased expenditure and loss of territory.

What the pecuniary loss of such territory would be cannot now be estimated, as the interior is practically a *terra incognita*.

In the meantime, there is the grand principle of right and justice to uphold, so dear to every British subject.

I have, &c.
(Signed) OTTO J. KLOTZ.

Appendix.

As an Appendix are given a number of views taken in Alaska by me.

They are not shown as works of photographic skill, because, being all taken from the deck of a moving steamer some miles from shore, and with generally a leaden, misty sky, a good photograph was out of the question.

However, they will give some idea of the existence of "mountains situated parallel to the coast."

Accompanying the Report too are:—

"Pacific Coast Pilot; Alaska," Part 1, Edition 1883.

The "Forum" November 1889.

Admiralty Chart: Port Simpson to Cross Sound, including the Koloschensk Archipelago.

United States' Coast and Geodetic Survey Map: Alaska and adjoining Territory, 1887.

(Signed) OTTO J. KLOTZ.

Memorandum on Colonial Office Letter of August 22, 1890.

THERE are two points in the contention :—

1. The water boundary ;
2. The land boundary ;

and they turn on the interpretation of Articles III and IV of the Convention between England and Russia of February 1825, and the accuracy of charts.

The Articles are as follows :—

“ III. The line of demarcation between the possessions of the High Contracting Parties upon the coast of the continent and the islands of America to the north-west shall be drawn in the manner following :

“ Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of $54^{\circ} 40'$ north latitude, and between the 131st and the 133rd degrees of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude ; from this last-mentioned point the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude (of the same meridian) ; and, finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the Frozen Ocean, shall form the limit between the Russian and British possessions on the Continent of America to the north-west.

“ IV. With reference to the line of demarcation laid down in the preceding Article, it is understood :

“ 1. That the island called Prince of Wales Island shall belong wholly to Russia.

“ 2. That wherever the summit of the mountains which extend in a direction parallel to the coast, from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude, shall prove to be at the distance of more than 10 marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia, as above mentioned, shall be formed by a line parallel to the windings of the coast, and which shall never exceed the distance of 10 marine leagues therefrom.”

1. The water boundary.

“ The United States are understood to contend that Portland Inlet is a part of the Portland Channel through which the Convention directs the line to be run ; which contention Canada denies, and asserts that the passage along the coast through Pearse Channel to the ocean is part of Portland Canal.”*

Canada is anxious that an agreement should be arrived at as to whether the Convention requires that the direction of the delimiting line shall be the most direct between the southernmost point of Prince of Wales Island and the ocean entrance to Portland Canal, or whether it is required that this line shall anywhere follow a parallel of latitude.

2. The land boundary.

The Convention was negotiated on the basis of Vancouver's Map, which shows a well-defined range of mountains at a short distance from the coast.

No such range in reality exists, but the whole country is mountainous, and it is difficult to say what signification is to be attached to the term “ the crest of the mountains ” in some places. Moreover, the coast itself is greatly indented with various creeks running some distance inland.

The United States consequently assume that the boundary-line, “ which is supposed to follow a mountain range, is an impracticable one to survey, if not a geographical impossibility.”†

Canada submits that “ there is no evidence to show that the line prescribed by the Treaty of 1825 is impracticable.”*

She cannot, therefore, assent to the assumption that it is, and could not co-operate in a delimitation upon that understanding, though ready to do so otherwise.

* See Canadian Memorandum in Colonial Office letter.

† See Mr. Bayard's note of November 20, 1885.

No. 16.

Foreign Office to Colonial Office.

Sir,

Foreign Office, September 11, 1890.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your letter of the 22nd ultimo in regard to the proposed joint survey on the part of Her Majesty's Government and of the Government of the United States of the Alaska boundary.

I am to request that you will state to Secretary Lord Knutsford that Lord Salisbury will communicate with him again as to the course which should be taken in regard to this question when he has further considered the documents forwarded with your letter under reply.

Meanwhile, I am to return the original inclosures which accompanied your letter, together with a printed proof of the same; and I am to suggest that the proof should be carefully examined at the Colonial Office with a view to ascertaining its accuracy, and returned with any necessary corrections.

I am, &c.

(Signed) T. H. SANDERSON.

No. 17.

Foreign Office to Colonial Office.

Sir,

Foreign Office, September 19, 1890

I HAVE laid before the Marquis of Salisbury your letter of the 22nd ultimo, in which the question is raised whether any action should be taken at the present time by Her Majesty's Government or by that of Canada in regard to the proposal made by the United States for a joint survey of the Alaska boundary.

Lord Salisbury perceives that in the opinion of the Canadian Government no joint operations could be usefully undertaken until a preliminary understanding has been arrived at with the Government of the United States as to the basis upon which the discussions for the settlement of the boundary shall proceed.

Lord Salisbury will forward a copy of your letter, and its inclosures, to Her Majesty's Minister at Washington for his information, but it does not appear to his Lordship that the present time is a favourable one for raising the question.

I am, &c.

(Signed) T. H. SANDERSON.

No. 18.

The Marquis of Salisbury to Sir J. Pauncefote.

(No. 198.)

Sir,

Foreign Office, September 19, 1890.

WITH reference to my despatch No. 164 of the 31st July last, I transmit herewith, for your information, a copy of a letter from the Colonial Office relative to the survey of the Alaska boundary, together with the reply which I have caused to be returned to it.*

The present does not appear to be a favourable time for raising the question with the United States' Government, but the matter should be borne in mind in case a suitable opportunity should present itself for entering upon it.

I am, &c.

(Signed) SALISBURY.

No. 19.

Colonial Office to Foreign Office.—(Received October 16.)

Sir,

Downing Street, October 15, 1890.

I AM directed by Lord Knutsford to return herewith the proof of the despatch from Lord Stanley of Preston, and its inclosures, on the subject of the Alaska boundary, which accompanied your letter of the 11th ultimo, and to acquaint you, for the information of the Marquis of Salisbury, that his Lordship has no remarks to offer upon it.

Lord Knutsford would be glad if ten copies of this paper could be furnished for the use of this Department when it has been struck off.

I am at the same time to acknowledge the receipt of your further letter of the 19th September on this subject, and to inclose, for the information of Lord Salisbury, a copy of a despatch which has been addressed to the Governor-General of Canada conveying the views expressed by his Lordship in reference to the proposed survey.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure in No. 19.

Lord Knutsford to Lord Stanley of Preston.

(Confidential.)

My Lord,

Downing Street, October 15, 1890.

I HAVE the honour to acknowledge the receipt of your Lordship's Confidential despatch of the 24th July, forwarding the Report of a Committee of the Privy Council on the subject of the proposed joint survey of the Alaska boundary.

I duly communicated your despatch and its inclosures to the Marquis of Salisbury, and his Lordship informs me that a copy will be forwarded to her Majesty's Minister at Washington for his information, but that it does not appear to him that the present time is a favourable one for raising the question with the Government of the United States.

I have, &c.
(Signed) KNUTSFORD.

No. 20.

Sir J. Pauncefote to the Marquis of Salisbury.—(Received October 27.)

(No. 131.)

My Lord,

Magnolia, October 7, 1890.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 198 of the 19th ultimo, on the subject of the proposed joint survey of the Alaska boundary.

I will not fail to bear the matter in mind, and shall take the first favourable opportunity of speaking to Mr. Blaine on the subject of a preliminary understanding as to the basis on which the discussions for the settlement of the boundary should proceed.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 21.

*Foreign Office to Colonial Office.**Foreign Office, November 6, 1890.*

[Transmits copy of Sir J. Pauncefote's No. 131 of October 7, 1890: *ante*, No. 20.]

Printed for the use of the Foreign Office. May 1893.

CONFIDENTIAL.

(6332.)

PART V.

FURTHER CORRESPONDENCE

RESPECTING THE

BOUNDARY BETWEEN THE BRITISH POSSESSIONS IN
NORTH AMERICA

AND THE

TERRITORY OF ALASKA.

1891-92.

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CONFIDENTIAL.

Further Correspondence respecting the Boundary between the
British Possessions in North America and the Territory of
Alaska.

PART V.

No. 1.

Colonial Office to Foreign Office.---(Received May 6.)

Sir, *Downing Street, May 5, 1891.*
I AM directed by Lord Knutsford to transmit to you, to be laid before the Marquis of Salisbury, a copy of a despatch from the Governor-General of Canada, with its inclosure, requesting that the Government of the United States may be reminded that some difference of opinion exists as to the marking of the boundary-line between Alaska and British Columbia, which can only properly be determined by an International Commission; and I am to suggest, for Lord Salisbury's consideration, that a communication should be addressed to the Government of the United States in the sense indicated by the Government of the Dominion.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 1.

Lord Stanley of Preston to Lord Knutsford.

My Lord, *Government House, Ottawa, April 17, 1891.*
I HAVE the honour to forward herewith a copy of an approved Minute of the Privy Council calling attention to an extract from the Report of the United States' Coast and Geodetic Survey with reference to the marking of the boundary-line between Alaska and British Columbia, and requesting that the United States' Government may be reminded that some difference of opinion exists as to this boundary which can only be properly determined by an International Commission.

I have, &c.
(Signed) STANLEY OF PRESTON.

Inclosure 2 in No. 1.

Report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General in Council on the 15th April, 1891.

ON a Report, dated the 18th March, 1891, from the Minister of the Interior, stating that his attention has been called to the fact that in the last published Report of the United States' Coast and Geodetic Survey the Director says, p. 3 :—

“ By recent Congressional enactment a preliminary survey of the frontier-line between Alaska and British Columbia, in accordance with plans or projects approved by the Secretary of State, has been placed in charge of this Bureau. Such a preliminary survey, involving the determination of a number of points in geographical position, and their complete marking by permanent monuments, will have to be carried from Cape Mazon, *through the Portland Canal*, to the 50th degree of north latitude, thence north-westwardly, following, as nearly as may be practicable, the general trend of the coast, at a distance of about 35 miles from it, to the 141st degree of west longitude, and thence due north to the Arctic Ocean, a total distance of about 1,400 miles ”:

The Minister recommends that the necessary steps be taken to call the attention of the Government of the United States to the fact that the question of the boundary at this point is at the present time the subject of some difference of opinion and of considerable correspondence, and he recommends that steps be taken to point out to the Government of the United States that the actual boundary-line can only be settled by an International Commission.

The Committee, concurring in the above, advise that your Excellency be moved to communicate this Minute to the Right Honourable the Secretary of State for the Colonies.

All of which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE, Clerk,
Privy Council.

No. 2.

The Marquis of Salisbury to Sir J. Pauncefote.

(No. 114.)

Sir,

Foreign Office, May 16, 1891.

WITH reference to your despatch No. 131 of the 7th October last, and previous correspondence, I transmit to you herewith a copy of a letter from the Colonial Office,* inclosing a despatch from the Governor-General of Canada requesting that the United States' Government may be reminded that some difference of opinion exists as to the marking of the boundary-line between Alaska and British Columbia, which can only be properly determined by an International Commission.

I have to request you to address a communication to the United States' Government in the sense desired by the Government of the Dominion.

I am, &c.
(Signed) SALISBURY.

No. 3.

Sir J. Pauncefote to the Marquis of Salisbury.—(Received June 11.)

(No. 126.)

My Lord,

Washington, June 9, 1891.

WITH reference to your Lordship's despatch No. 114 of the 16th ultimo, received on the 2nd instant, I have the honour to transmit to your Lordship herewith copy of a note which, in conformity with instructions, I have addressed to the United States' Secretary of State, pointing out that the boundary-line between Alaska and British Columbia can only be properly determined by an International Commission.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 3.

Sir J. Pauncefote to Mr. Blaine.

Sir,

Washington, June 5, 1891.

THE Governor-General of Canada has lately brought under the notice of Her Majesty's Government the following passage in the last published Report of the "United States' Coast and Geodetic Survey," in which the Director writes as follows:—

"By recent Congressional enactment a preliminary survey of the frontier-line between Alaska and British Columbia, in accordance with plans or projects approved by the Secretary of State, has been placed in charge of this Bureau. Such a preliminary survey, involving the determination of a number of points in geographical position and their complete marking by permanent monuments, will have to be carried from Cape Mazon *through the Portland Canal* to the 50th degree of north latitude, thence north-westwardly, following as nearly as practicable the general trend of the coast at a distance of *about 35 miles from it*, to the 141st degree of west longitude, and thence due north to the Arctic Ocean, a total distance of about 1,400 miles."

The Dominion Government have expressed the desire that the United States' Government may be reminded that the question of the boundary at this point is at the present time the subject of some difference of opinion and of considerable correspondence, and that the actual boundary-line can only be properly determined by an International Commission.

I have accordingly been instructed by the Marquis of Salisbury to call your attention to the above extract, and to the observations of the Dominion Government thereon.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 4.

*Foreign Office to Colonial Office.**Foreign Office, July 29, 1891.*

[Transmits copies of No. 114 to Sir J. Pauncefote, dated May 16; and Sir J. Pauncefote's No. 126 of June 9, 1891: *ante*, Nos. 2 and 3.]

No. 5.

Extracts from Papers sent home in Sir J. Pauncefote's No. 42, dated February 19, 1892.—
(Received March 1.)

Minutes of Proceedings of Canadian and United States' Delegates, February 12, 1892.

THE Conference was resumed this morning at 11 o'clock at the State Department.

The Canadian Delegates handed in the accompanying proposal (A), referring to the settlement of the boundary of Alaska, stating that it was quite informally made, and was put forward merely as a basis of discussion.

The various contentions relating to the boundary were then explained.

(A.)

As regards the boundary-line between Alaska and Canada:—

It is proposed that a reference to some impartial authority be made by Great Britain and the United States for the purpose of ascertaining and deciding finally the true boundary, regard being had to the Treaties relating to the subject and likewise to the Case which may be presented by either Government, and to the testimony which may be adduced as to the physical features and conditions of the country.

Also, that a Commission of four experts be appointed forthwith to report to the Governments of Great Britain and the United States as to the best and most convenient mode of delimiting the boundary as established by the award to be made under the foregoing Article, the Commissioners to have authority to recommend as an alternative the adoption of a Conventional boundary if they or any of them find a Conventional boundary likely to avoid serious inconveniences in the delimitation, and otherwise compatible with the interests of both countries.

Minutes of Proceedings of Canadian and United States' Delegates, February 15, 1892.

THE Conference resumed to-day at 11 o'clock.

On the part of the United States, the proposal contained in the annexed Memorandum, marked (E), was handed in, and assented to by the Canadian Delegates, after some explanation and discussion (referring to the boundary of Alaska).

(E.)

It is agreed that a joint survey be made of the territory adjacent to the boundary-line of the United States of America and the Dominion of Canada between the Territory of Alaska and the Province of British Columbia, and the North-West Territory of Canada, from the latitude of 54° 40' north, to the point where said boundary-line encounters the 141st degree of west longitude, with a view to the ascertainment of the facts and data necessary to the permanent delimitation of said boundary-line, in accordance with the spirit and intent of the existing Treaties in regard to it between Great Britain and Russia, and between the United States and Russia.

Application will be made without delay to the respective Legislative Bodies for the appropriations necessary for the prosecution of the survey, and the Commission to be appointed by the two Governments shall meet within two months after said appropriations shall have been made, and shall proceed as soon as practicable thereafter to the active discharge of their joint duties.

The Commissioners shall complete the survey, and submit a final Report thereof within two years from the date of their first meeting.

The Commissioners shall, so far as they may be able to agree, make a Joint Report to each of the two Governments, and they shall also report, either jointly or severally, to each Government upon any points upon which they may be unable to agree.

The two Governments shall pay the expenses of their respective Commissioners.

The two Governments agree that, as soon as practicable after the Report or Reports of the Commissioners shall have been received, they will proceed to consider and permanently establish the boundary-line in question.

No. 6.

Mr. Herbert to the Marquis of Salisbury.—(Received July 4.)

(No. 160.)

My Lord,

Washington, June 23, 1892.

WITH reference to my telegram No. 92 of to-day, I have the honour to inclose herewith copy of the draft Convention for the demarcation of the Alaska boundary, and for the marking of the boundary-line in the waters of Passamaquoddy Bay, which I received to-day from Mr. Wharton.

Mr. Adee, the Assistant Secretary of State, who has drawn up this Convention, informed me yesterday that he thought it would save trouble to include the Alaska boundary and Passamaquoddy Bay questions in the same instrument.

He told me at the same time that he had made certain alterations and additions in the arrangements agreed upon at the Conference last February, which will be found marked in red ink.*

He especially called my attention to the addition in the 1st Article, which he said would enable the Commission to break up into small parties for survey work, and thereby save much delay and expense, and he hoped that your Lordship would see no objection to this change.

The Fish Preservation Convention has not yet been completed, as there are many questions of detail involved concerning which Mr. Adee said he had to consult with the

* *Italic.*

United States' Fish Commissioner. He hoped, however, that it would be ready in about three weeks' time.

I have forwarded a copy of the inclosed Convention to the Governor-General of Canada.

I have, &c.
(Signed) MICHAEL H. HERBERT.

Inclosure in No. 6.

Draft Convention between Great Britain and the United States.

THE United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being equally desirous to provide for the removal of all possible causes of difference between their respective Governments hereafter in regard to the delimitation of the existing boundary between the United States and Her Majesty's possessions in North America, in regard to such portions of said boundary as may not, in fact, have been permanently marked in virtue of Treaties heretofore concluded, have resolved to conclude a Convention in furtherance of these ends, and for that purpose have appointed as their respective Plenipotentiaries :

The President of the United States,

And Her Majesty the Queen of the United Kingdom of Great Britain and Ireland,

Who, after having communicated to each other their respective Full Powers, which were found to be in due and proper form, have agreed to and concluded the following Articles :—

ARTICLE I.

The High Contracting Parties agree ~~It is agreed~~ that a coincident or joint survey (as may be found in practice most convenient) shall be made of the territory adjacent to ~~the~~ that part of the boundary-line of the United States of America and the Dominion of Canada, between the territory of Alaska and the Province of British Columbia and the north-west territory of Canada, from the latitude of 54° 40' north to the point where the said boundary-line encounters the 141st degree of ~~west~~ longitude westward from the meridian of Greenwich, by Commissions to be appointed severally by the High Contracting Parties, with a view to the ascertainment of the facts and data necessary to the permanent delimitation of said boundary-line in accordance with the spirit and intent of the existing Treaties in regard to it between Great Britain and Russia and between the United States and Russia.

Application will be made without delay to the respective legislative bodies for the appropriations necessary for the prosecution of the survey, and the Commissions to be appointed by the two Governments shall meet at within two months after said appropriation shall have been made, and shall proceed as soon as possible thereafter to the active discharge of their duties.

The respective Commissions shall complete the survey and submit a *their* final Report thereof within two years from the date of their first meeting.

The Commissions shall, so far as they may be able to agree, make a Joint Report to each of the two Governments, and they shall also report, either jointly or severally, to each Government on any points upon which they may be unable to agree.

The two Governments shall pay the expenses of their respective Commissions.

Each Government shall pay the expenses of the Commission appointed by it.

Each Government engages to facilitate in every possible way any operations which, in pursuance of the plan to be agreed upon by the Commissions, may be conducted within its territory by the Commission of the other.

The ~~two Governments~~ High Contracting Parties agree that, as soon as practicable after the Report or Reports of the Commissions shall have been received, they will proceed to consider and establish the boundary-line in question.

ARTICLE II.

The High Contracting Parties agree that the Governments of the United States and of Her Britannic Majesty in behalf of the Dominion of Canada ~~will~~ shall, with as little

delay as possible, appoint two Commissioners, *one to be named by each Party*, to determine upon a method of more accurately marking the boundary-line between the two countries in the waters of Passamaquoddy Bay in front of and adjacent to Eastport, in the State of Maine, *in accordance with the decision rendered the 24th November, 1817, by the Commissioners under the IVth Article of the Treaty of Ghent*, and to place buoys or fix such other boundary-marks as they may determine to be necessary.

ARTICLE III.

Each Government shall pay the expenses of its own Commissioner, and the cost of marking the boundary, in such manner as shall be determined upon, shall be defrayed by the High Contracting Parties in equal moieties.

The present Convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty; and the ratifications shall be exchanged at *Washington* within twelve months from the date hereof, or earlier if possible.

In faith whereof we, the respective Plenipotentiaries, have signed this Convention, and have hereunto affixed our seals.

No. 7.

Foreign Office to Colonial Office.

Sir,

Foreign Office, July 6, 1892.

WITH reference to my letter of the 24th ultimo, I am directed by the Marquis of Salisbury to transmit herewith a copy of a despatch from Her Majesty's Chargé d'Affaires at Washington,* inclosing a copy of the draft Convention which he has received from the United States' Acting Secretary of State, for the demarcation of the Alaska boundary, and for the marking of the boundary-line in the waters of Passamaquoddy Bay.

Lord Salisbury would be glad to be furnished with any observations which Lord Knutsford may have to offer on this draft at his early convenience.

I am, &c.

(Signed) T. H. SANDERSON.

No. 8.

Mr. Herbert to the Marquis of Salisbury.—Received July 11.)

(No. 103.)

(Telegraphic.) P.

Washington, July 11, 1892.

MR. FOSTER is very anxious that the Alaska Convention should be signed before the adjournment of the Senate, which will take place in about a fortnight. It could then be ratified at once. A delay of six months will otherwise occur.

No. 9.

Memorandum on Cable from Governor-General of Canada to Lord Knutsford.

THE draft Convention contemplates the marking of the boundary-line between Canada and Maine in the *waters* of Passamaquoddy Bay, near Eastport, Maine.

The Canadian Government suggest that the words "in accordance with the decision of Commissioners under the IVth Article of the Treaty of Ghent" should be omitted.

On reference to this decision, it will be seen that it deals only with certain *islands*, not now in dispute, and does not assist in the marking of the line in front of and adjacent to Eastport a water boundary, as contemplated by the Convention.

The reference would lead eventually to confusion and misunderstanding.

With the words left out, the marking can be done according to the Treaty and all subsequent acts between the parties.

(Signed)

CHARLES H. TUPPER.

July 19, 1892.

No. 10.

Colonial Office to Foreign Office.—(Received July 19.)

Sir,

Downing Street, July 19, 1892.

WITH reference to your letters of the 6th and 12th instant respecting the draft Convention for the demarcation of the Alaskan boundary and the boundary between the United States and Canada in Passamaquoddy Bay, I am directed by Lord Knutsford to transmit to you, to be laid before the Marquis of Salisbury, copies of telegraphic correspondence with the Governor-General of Canada on the subject of the draft Convention.

Lord Knutsford sees no objection to the amendment of the draft Convention suggested by the Dominion Government.

I am, &c.
(Signed) R. H. MEADE.

Inclosure 1 in No. 10.

Lord Knutsford to Lord Stanley of Preston.

(Telegraphic.)

Downing Street, July 13, 1892.

SEE draft Alaska Boundary Convention sent you by Chargé d'Affaires at Washington. Telegraph whether your Government agrees. United States' Government have telegraphed that they are anxious for decision, as Senate adjourns in a fortnight.

Inclosure 2 in No. 10.

Lord Stanley of Preston to Lord Knutsford.

(Telegraphic.)

July 17, 1892.

YOUR Lordship's telegram of 13th July.

Privy Council see no objection to draft Convention, excepting that portion respecting the boundary at Passamaquoddy Bay, in which reference to decision of Commissioner under Article IV of Treaty of Ghent does not appear to govern question of boundary. They suggest the omission of the following words after word Maine, ninth line, IInd Article, "in accordance with the decision of Commissioners under the IVth Article of the Treaty of Ghent rendered 24th November, 1817."

No. 11.

The Marquis of Salisbury to Mr. Herbert.

(No. 72.)

(Telegraphic.) P.

Foreign Office, July 20, 1892.

WITH reference to your telegram No. 103 of the 11th instant on the subject of the boundary in Passamaquoddy Bay, the Canadian Government recommend that the words "in accordance with the decision of the Commissioners under Article IV of the Treaty of Ghent, rendered 24th November, 1817," should be omitted from Article II of the proposed Convention.

This decision might lead to difficulty, as it only concerns certain islands which are not now in dispute.

No. 12.

Mr. Herbert to the Marquis of Salisbury.—(Received July 20.)

(No. 109.)

(Telegraphic.) P.

Newport, July 20, 1892.

WITH reference to your Lordship's telegram of to-day, Mr. Foster agrees to the proposed omission in Article II of the Alaska Boundary Convention. Does your Lordship now authorize me to sign it? It will be too late for the Senate's ratification this Session if not signed by next Friday.

No. 13.

The Marquis of Salisbury to Mr. Herbert.

(No. 73.)

(Telegraphic.) P.

Foreign Office, July 21, 1892.

WITH reference to your telegram No. 109 of the 21st instant on the subject of the Alaska and Passamaquoddy Bay Boundary Convention, your signature of Convention, with the omission suggested by the Government of Canada, is authorized. Her Majesty has signed the Full Powers enabling you to do this, and they will be sent to you by the mail of the 23rd July.

No. 14.

Mr. Herbert to the Marquis of Salisbury.—(Received July 23, 8 A.M.)

(No. 110.)

(Telegraphic.)

Washington, July 22, 1892.

ALASKA Convention signed to-day.

No. 15.

Mr. Herbert to the Marquis of Salisbury.—(Received July 25.)

(No. 189.)

My Lord,

Washington, July 11, 1892.

WITH reference to my telegram No. 103 of to-day's date, I have the honour to inform your Lordship that Mr. Foster asked me this morning whether the terms of the Alaska Convention, which was handed to me on the 23rd ultimo, had met with your Lordship's approval. I replied that there had not been time for me to receive an answer, as I had only sent it to your Lordship a fortnight ago.

Mr. Foster said that he was very anxious to sign it before the Senate adjourned, as the question would otherwise be delayed for six months. If the signature took place at once the Convention could be ratified next week, and the Boundary Commission could set to work this summer, and he asked me to telegraph to your Lordship in this sense, which I promised to do.

I have, &c.

(Signed) MICHAEL H. HERBERT.

No. 16.

Mr. Herbert to the Marquis of Salisbury.—(Received July 27.)

(No. 114.)

(Telegraphic.) P.

Newport, July 27, 1892.

ALASKA Convention has been ratified by Senate. Copy of Convention sent by bag yesterday. Mr. Foster desires to exchange ratifications as soon as possible.

No. 17.

Mr. Herbert to the Marquis of Salisbury.—(Received August 4.)

(No. 201.)

My Lord,

Newport, Rhode Island, July 23, 1892.

WITH reference to your Lordship's telegram No. 72 of the 20th instant, and to my telegram No. 109 of the same date, I have the honour to inclose copy of a note which I have received from Mr. Foster, recording the consent of the United States' Government to the omission proposed by the Canadian Government in the Alaska Boundary Convention.

I have, &c.

(Signed) MICHAEL H. HERBERT.

Inclosure in No. 17.

Mr. Foster to Mr. Herbert.

Sir,

Department of State, Washington, July 21, 1892.

I HAVE the honour to acknowledge receipt of your telegram of the 20th instant, in regard to the desire of the Canadian Government to omit, in the Alaska Convention, the words "in accordance with the decision of the Commissioners under the 14th Article of the Treaty of Ghent, rendered November 24th, 1817."

I accordingly replied on the 20th instant, by telegram, as follows: "Will agree to omission. Congress adjourns in very few days."

The Convention, with the suggested omission, is being engrossed, in duplicate, for our respective signatures for to-morrow morning, Friday, the 22nd instant, any time after 11 o'clock.

I have, &c.

(Signed) JOHN W. FOSTER.

No. 18.

Mr. Herbert to the Marquis of Salisbury.—(Received August 4.)

(No. 202.)

My Lord,

Newport, Rhode Island, July 23, 1892.

WITH reference to my telegram No. 110 of yesterday's date, I have the honour to inclose the duplicate original of the Alaska Boundary Convention, which was signed yesterday by Mr. Foster and myself.

Before signing the Convention, Mr. Foster drew my attention to the fact that the place of meeting of the Commission had not been agreed upon, and stated that there were three places which appeared to him to be suitable for that purpose, namely, Washington, Ottawa, or Montreal, and that, of the three, he preferred Washington. I replied that I had no authority to agree to Washington, nor indeed to any particular city, as the place of meeting, but that I thought that Ottawa would be more convenient than Washington, as it would be nearer to the scene of the operations of the Commission, and would moreover be the best starting point on account of the Canadian Pacific Railway.

After a short discussion, Mr. Foster consented to my suggestion, and Ottawa was inserted in the Convention.

There having been no time to telegraph to your Lordship for instructions on this point, I venture to express the hope that the choice of Ottawa will meet with your Lordship's approval.

I have informed the Governor-General of Canada of the substance of this despatch.

I have, &c.

(Signed) MICHAEL H. HERBERT.

No. 19.

Mr. Herbert to the Marquis of Salisbury.—(Received August 4.)

(No. 203.)

My Lord,

Newport, Rhode Island, July 23, 1892.

WITH reference to my immediately-preceding despatch, I have the honour to inform your Lordship that Mr. Foster told me yesterday that he did not propose to appoint more than one Commissioner on the Alaska Boundary Commission; but that this would not, of course, prevent the Canadian Government from appointing any number of Commissioners that they might desire. He added that Professor Mendenhall would probably be the United States' Commissioner, and, in answer to a question of mine, he said that he would, of course, be provided with as much assistance as he required in the way of Secretaries, &c.

I have communicated the substance of this despatch to Lord Stanley.

I have, &c.

(Signed) MICHAEL H. HERBERT.

No. 20.

Foreign Office to Colonial Office.

Sir,

Foreign Office, August 6, 1892.

WITH reference to my previous letter of this day, I am directed by the Marquis of Salisbury to transmit a copy of a despatch from Her Majesty's Chargé d'Affaires at Washington,* reporting that Professor Mendenhall will probably be appointed to be the United States' Commissioner on the Alaska Boundary Commission.

I am to say that Lord Salisbury would be glad to be informed of the views of the Canadian Government as to the appointment of one or more Commissioners to represent them on the Commission.

I am, &c.
(Signed) T. V. LISTER.

No. 21.

Foreign Office to Colonial Office.

Sir,

Foreign Office, August 6, 1892.

WITH reference to Sir T. Sanderson's letter of the 28th ultimo, I am directed by the Marquis of Salisbury to transmit to you, to be laid before Lord Knutsford, a copy of a despatch from Her Majesty's Chargé d'Affaires at Washington,† in which he incloses the original of the Alaska Boundary Convention, signed at Washington on the 22nd July.

The ratifications of the Convention are now being prepared for Her Majesty's signature, and as soon as they have been exchanged between the two Powers, the Convention will be communicated to both Houses of Parliament.

You will observe that an agreement has been arrived at between Mr. Herbert and the United States' Secretary of State, that the Boundary Commission shall meet at Ottawa, and Lord Salisbury proposes, with Lord Knutsford's concurrence, to inform Mr. Herbert that the selection of Ottawa for this purpose is approved by Her Majesty's Government.

I am, &c.
(Signed) T. V. LISTER.

No. 22.

Colonial Office to Foreign Office.—(Received August 13.)

Sir,

Downing Street, August 12, 1892.

IN reply to your letter of the 6th instant, forwarding a copy of a despatch from Her Majesty's Chargé d'Affaires at Washington, respecting the place of meeting of the proposed Alaska Boundary Commission, I am directed by Lord Knutsford to acquaint you, for the information of the Marquis of Salisbury, that he concurs in the proposal to approve of the selection of Ottawa as the place of meeting of the Commission.

I am, &c.
(Signed) EDWARD FAIRFIELD.

No. 23.

The Marquis of Salisbury to Mr. Herbert.

(No. 180.)

Sir,

Foreign Office, August 13, 1892.

IN reply to your despatch No. 202 of the 23rd ultimo, I have to inform you that the selection of Ottawa as the place of meeting of the proposed Alaska Boundary Commission is approved by Her Majesty's Government.

I am, &c.
(Signed) SALISBURY.

No. 24.

Foreign Office to Colonial Office.

Sir,

Foreign Office, August 26, 1892.

WITH reference to your letter of the 12th instant, I am directed by the Earl of Rosebery to state that a telegram has been received from Her Majesty's Chargé d'Affaires at Washington reporting that the Ratifications of the Alaska Boundary Convention had been exchanged with the United States' Government on the 23rd instant.

I am, &c.

(Signed) T. H. SANDERSON.

No. 25.

Mr. Herbert to the Earl of Rosebery.—(Received September 11.)

(No. 135.)

(Telegraphic.) P.

Newport, Rhode Island, September 10, 1892.

I HAVE received a note from Mr. Foster stating that Mr. Mendenhall has been appointed United States' Commissioner under Articles I and II of the Alaska Boundary Convention, and that Congress has made the necessary appropriations for the prosecution of the survey. He inquires at the same time whether the Canadian appropriations have been obtained, in order that there may be as little delay as possible before the Commission meets.

Lord Stanley informed of above.

No. 26.

Foreign Office to Colonial Office.

Sir,

Foreign Office, September 12, 1892.

WITH reference to your letter of the 12th ultimo respecting the Alaska Boundary Convention, I am directed by the Earl of Rosebery to transmit, for such steps as the Marquis of Ripon may think desirable, the paraphrase of a telegram from Her Majesty's Chargé d'Affaires at Washington,* reporting the arrangements made by the United States' Government for the survey of the frontier and making inquiries as to the steps taken by the Canadian Government.

Lord Ripon will perceive that Mr. Herbert has sent the same message to the Governor-General of the Dominion.

I am, &c.

(Signed) T. H. SANDERSON.

No. 27.

Mr. Herbert to the Earl of Rosebery.—(Received September 26.)

(No. 247.)

My Lord,

Newport, Rhode Island, September 10, 1892.

WITH reference to my telegram No. 135 of to-day, I have the honour to inclose copy of a note which I have received from Mr. Foster, in which he states that Mr. Thomas C. Mendenhall, Superintendent of the United States' Coast and Geodetic Survey, has been appointed United States' Commissioner under Articles I and II of the Alaska Boundary Convention, and expresses the hope that the Commission may begin its work as soon as possible.

I have sent a copy of this note to the Governor-General of Canada.

I have, &c.

(Signed) MICHAEL H. HERBERT.

Inclosure 1 in No. 27.

Mr. Foster to Mr. Herbert.

Sir,

Department of State, Washington, September 8, 1892.

I HAVE the honour to inclose herewith copies of the Convention concluded in this city on the 22nd July, 1892, providing for a joint delimitation of the existing boundary-line between the United States' and Her Majesty's possessions in North America in respect to such portions of said boundary as may not in fact have been permanently marked in virtue of Treaties heretofore concluded.

By direction of the President, Thomas C. Mendenhall, Superintendent of the United States' Coast and Geodetic Survey, has been appointed the Commissioner of the United States, pursuant to Articles I and II of the Convention mentioned, and it is the President's desire that the work may be begun and completed within as brief a period as practicable.

The Convention provides, in Article I, that application shall be made without delay to the respective Legislative Bodies for the appropriations necessary for the prosecution of the survey.

It gives me pleasure to say that the appropriation on behalf of the Government of the United States has been made by Congress, and I shall be glad to know whether that on behalf of the Canadian Government has been provided for, in order that the Commission may meet without delay at Ottawa, and proceed as soon as possible thereafter to the active discharge of its duties.

Asking that you will give the matter your early attention, and advise me of the action of the Canadian Government, I have, &c.

(Signed)

JOHN W. FOSTER.

Inclosure 2 in No. 27.

Convention between the United States of America and the United Kingdom of Great Britain and Ireland for a Joint Survey of the Territory adjacent to the Boundary-line of the United States of America and the Dominion of Canada dividing the Territory of Alaska from the Province of British Columbia and the North-west Territory of Canada.

Concluded at Washington, July 22, 1892.

Ratification advised by the Senate, July 25, 1892.

Ratified by the President of the United States, July 29, 1892.

Ratified by the Queen of Great Britain and Ireland, August 5, 1892.

Ratifications exchanged at Washington, August 23, 1892.

Proclaimed August 26, 1892.

By the President of the United States of America,

A Proclamation.

WHEREAS a Convention between the United States of America and Great Britain providing for the delimitation of the existing boundary between the United States and Her Majesty's possessions in North America in respect to such portions of said boundary as may not in fact have been permanently marked in virtue of Treaties heretofore concluded, was signed by their respective Plenipotentiaries at the city of Washington, on the 22nd day of July, 1892, the original of which Convention, being in the English language, is word for word as follows :—

“The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being equally desirous to provide for the removal of all possible cause of difference between their respective Governments hereafter in regard to the delimitation of the existing boundary between the United States and Her Majesty's possessions in North America in respect to such portions of said boundary as may not in fact have been permanently marked in virtue of Treaties heretofore concluded, have resolved to conclude a Convention in furtherance of these ends, and for that purpose have appointed as their respective Plenipotentiaries :

"The President of the United States, John W. Foster, Secretary of State of the United States; and

"Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Michael H. Herbert, Chargé d'Affaires *ad interim* of Great Britain;

"Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following Articles:—

"ARTICLE I.

"The High Contracting Parties agree that a coincident or joint survey (as may be found in practice most convenient) shall be made of the territory adjacent to that part of the boundary-line of the United States of America and the Dominion of Canada dividing the Territory of Alaska from the Province of British Columbia and the North-west Territory of Canada, from the latitude of 54° 40' north to the point where the said boundary-line encounters the 141st degree of longitude westward from the meridian of Greenwich, by Commissions to be appointed severally by the High Contracting Parties, with a view to the ascertainment of the facts and data necessary to the permanent delimitation of said boundary-line in accordance with the spirit and intent of the existing Treaties in regard to it between Great Britain and Russia and between the United States and Russia.

"Application will be made without delay to the respective Legislative Bodies for the appropriations necessary for the prosecution of the survey, and the Commissions to be appointed by the two Governments shall meet at Ottawa within two months after said appropriation shall have been made, and shall proceed as soon as practicable thereafter to the active discharge of their duties.

"The respective Commissions shall complete the survey and submit their final Reports thereof within two years from the date of their first meeting.

"The Commissions shall, so far as they may be able to agree, make a Joint Report to each of the two Governments, and they shall also report, either jointly or severally, to each Government on any points upon which they may be unable to agree.

"Each Government shall pay the expenses of the Commission appointed by it.

"Each Government engages to facilitate in every possible way any operations which, in pursuance of the plan to be agreed upon by the Commissions, may be conducted within its territory by the Commission of the other.

"The High Contracting Parties agree that, as soon as practicable after the Report or Reports of the Commissions shall have been received, they will proceed to consider and establish the boundary-line in question.

"ARTICLE II.

"The High Contracting Parties agree that the Governments of the United States and of Her Britannic Majesty in behalf of the Dominion of Canada shall, with as little delay as possible, appoint two Commissioners, one to be named by each party, to determine upon a method of more accurately marking the boundary-line between the two countries in the waters of Passamaquoddy Bay, in front of and adjacent to Eastport, in the State of Maine, and to place buoys or fix such other boundary-marks as they may determine to be necessary.

"Each Government shall pay the expenses of its own Commissioner, and cost of marking the boundary in such manner as shall be determined upon shall be defrayed by the High Contracting Parties in equal moieties.

"ARTICLE III.

"The present Convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty; and the ratifications shall be exchanged at Washington within twelve months from the date hereof, or earlier if possible.

"In faith whereof we, the respective Plenipotentiaries, have signed this Convention, and have hereunto affixed our seals.

"Done in duplicate at Washington the 22nd day of July, 1892.

(Signed)

"JOHN W. FOSTER.

(Seal.)

"MICHAEL H. HERBERT."

(Seal.)

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And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the city of Washington, on the 23rd day of August, 1892.

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the said Convention to be made public, to the end that the same, and every Article and clause thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 26th day of August, in the year of our Lord 1892, and of the Independence of the United States the 117th.

(Seal.) (Signed) BENJ. HARRISON.

By the President :
(Signed) JOHN W. FOSTER,
Secretary of State.

No. 28.

Mr. Herbert to the Earl of Rosebery.—(Received September 26.)

(No. 255.)

My Lord,

Newport, Rhode Island, September 16, 1892.

WITH reference to my despatch No. 247 of the 10th instant, I have the honour to report that, in compliance with a request which I have received from the Governor-General of Canada, I have informed the United States' Government that Mr. W. F. King has been appointed the Canadian Commissioner on the Alaska Boundary Commission.

I have, &c.

(Signed) MICHAEL H. HERBERT.

No. 29.

Colonial Office to Foreign Office.—(Received October 4.)

Sir,

Downing Street, October 4, 1892.

WITH reference to your letter of the 6th August, respecting the Alaska Boundary Commission, and the marking of the boundary between the United States and Canada in Passamaquoddy Bay, I am directed by the Marquis of Ripon to transmit to you, to be laid before the Earl of Rosebery, a copy of a despatch from the Governor-General of Canada, forwarding a Minute of the Dominion Privy Council appointing Mr. W. F. King, Chief Astronomer of the Department of the Interior, to represent Canada on the Commission.

I am, &c.

(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 29.

Lord Stanley of Preston to the Marquis of Ripon.

(Confidential.)

My Lord,

The Citadel, Quebec, September 14, 1892.

IN reply to your predecessor's despatch of the 13th ultimo, marked Confidential, requesting to be furnished with the names of the Commissioner or Commissioners whom this Government proposed to appoint to represent Canada on the Alaska Boundary Commission, I have the honour to inclose copy of an approved Minute of the Privy Council, recommending the appointment of Mr. W. F. King, M.A., D.T.S., Chief Astronomer of the Department of the Interior, as Canada's Representative.

I have, &c.

(Signed) STANLEY OF PRESTON.

Inclosure 2 in No. 29.

Report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General in Council on the 12th September, 1892.

THE Committee of the Privy Council have had under consideration the several despatches, &c., mentioned in the schedule hereunto annexed, relating to the Alaska Boundary, and the more accurate marking of the boundary-line between Canada and the United States in the waters of the Passamaquoddy Bay.

The Minister of the Interior, to whom the said despatches were referred, recommends as follows :—

1. That the Agreement between Mr. Foster, Secretary of State for the United States, and Mr. Michael H. Herbert, Her Majesty's Chargé d'Affaires at Washington, that Ottawa (Canada) shall be the place of the first meeting of the Boundary Commissioners to be appointed under the Convention signed at Washington on the 22nd July, 1892, having reference to the boundary between Canada and the United States, be approved.

2. That Mr. W. F. King, M. A., D.T.S., Chief Astronomer of the Department of the Interior, be appointed the Commissioner to represent Canada on the said Commission.

The Committee concur in the said recommendations, and advise that your Excellency be pleased to forward a copy of this Minute to the Right Honourable the Secretary of State for the Colonies, and to Her Majesty's Minister at Washington.

All which is respectfully submitted.

(Signed) JOHN J. McGEE,
Clerk of the Privy Council.

Inclosure 3 in No. 29.

DEPARTMENT OF THE INTERIOR, CANADA.

SCHEDULE to accompany the Report to Council of the Honourable the Minister of the Interior, dated 25th August, 1892.

	1892	
P.C. 1313 H.	13th July	.. Lord Knutsford to Lord Stanley of Preston.
P.C. 1284 H.	23rd June	.. Hon. Michael Herbert to Lord Stanley of Preston.
	14th July	.. Hon. J. J. C. Abbott to Lord Stanley of Preston.
P.C. 1351 H.	28th July	.. Lord Knutsford to Lord Stanley of Preston. (Covering telegrams to and from Mr. Herbert.)
P.C. 1352 H.	28th July	.. Lord Knutsford to Lord Stanley of Preston. (Covering telegram from Mr. Herbert.)
P.C. 1338 H.	23rd July	.. Mr. Herbert to Lord Stanley of Preston.
P.C. 1364 H.	26th July	.. Colonial Office to Lord Stanley of Preston. (Covering telegrams from Marquis of Salisbury to Mr. Herbert and Mr. Herbert to Lord Salisbury.)
P.C. 1389 H.	4th August	.. Lord Knutsford to Lord Stanley of Preston. (Covering letter from Foreign Office.)
P.C. 1396 H.	13th August	.. Lord Knutsford to Lord Stanley of Preston.

No. 30.

Colonial Office to Foreign Office.—(Received October 13.)

Sir,

Downing Street, October 13, 1892.

I AM directed by the Marquis of Ripon to transmit to you, for the information of the Earl of Rosebery, with reference to your letter of the 5th instant, a copy of a despatch which his Lordship has addressed to the Governor-General of Canada on the subject of the wish of the Government of the United States that the work of the Alaska Boundary Commission should commence as soon as possible, as explained in Mr. Foster's despatch to Mr. Herbert of the 8th ultimo.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure in No. 30.

The Marquis of Ripon to Lord Stanley of Preston.

My Lord,

Downing Street, October 13, 1892.

HER Majesty's Chargé d'Affaires at Washington has forwarded to the Secretary of State for Foreign Affairs a copy of a despatch from Mr. Foster, dated the 8th ultimo, in which he states that Mr. Thomas C. Mendenhall, Superintendent of the United States' Coast and Geodetic Survey, has been appointed United States' Commissioner under Articles I and II of the Alaska Boundary Convention, and expresses the hope that the Commission may commence its work as soon as possible.

It is understood that a copy of this despatch has been sent to you by Mr. Herbert, and I should be glad to be informed of the answer which your Government wish to be returned to the Government of the United States on the subject.

I have, &c.
(Signed) RIPON.

No. 31.

Colonial Office to Foreign Office.—(Received October 21.)

Sir,

Downing Street, October 20, 1892.

WITH reference to your letter of the 2nd April last, marked Confidential, on the subject of the boundary between the United States and Canadian waters in Passamaquoddy Bay, I am directed by the Marquis of Ripon to transmit to you, to be laid before the Earl of Rosebery, a copy of a despatch from the Governor-General of Canada with a Minute of his Privy Council respecting certain weirs erected by United States' fishermen on what are known as the "middle grounds" in Lubeck Narrows.

Lord Ripon is not sure that the Convention recently concluded with the United States relative to the Alaska and Passamaquoddy Bay boundaries is intended to extend to the Lubeck Narrows, but should the proposed Notice not have been already issued, he is disposed to deprecate any active measures for the enforcement of the Canadian view as to the position of the line, and to suggest that it might be preferable that the people concerned should simply receive notice that their weirs are erected in Canadian waters, and that they may be called upon to remove them.

His Lordship would be glad to receive Lord Rosebery's views on the matter.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 31.

Lord Stanley of Preston to the Marquis of Ripon.

(Confidential.)

My Lord,

The Citadel, Quebec, September 24, 1892.

WITH reference to Colonial Office despatch of the 21st April last, marked Confidential, on the subject of the boundary between the United States and Canada in Passamaquoddy Bay, I have the honour to transmit, for your Lordship's information, copy of an approved Minute of the Privy Council setting forth the action which Ministers propose to take in respect of certain weirs erected by United States' fishermen on what are known as the "middle grounds" in Lubeck Narrows, which appear to be clearly within the limits of Canadian territory.

I have, &c.
(Signed) STANLEY OF PRESTON.

Inclosure 2 in No. 31.

Report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General in Council on the 12th September, 1892.

THE Committee of the Privy Council have had under consideration a Report, dated the 29th August, 1892, from the Minister of Marine and Fisheries, setting forth that since

making his report on the erection of weirs by United States' fishermen on what is known as the "middle grounds" in Lubeck Narrows, his attention has been directed to an extract from a Confidential Memorandum, written by Sir Travers Twiss in 1854, respecting the boundary between the United States and Canada in Passamaquoddy Bay.

The Minister observes that in this latter Memorandum the memorialist points out that "the Boundary Commissioners, whilst awarding the territory of Campobello Island, Deer Island, and Marvel Island to Great Britain, did not distinctly define any water boundary between these islands and the United States' mainland. He holds, therefore, that the rules of international law apply, and, therefore, that the water limits of Her Britannic Majesty's territory are co-extensive with the waters of the north-east side of the line drawn in continuation of the mid-channel between Campobello and the American mainland to the mid-channel of the St. Croix River between St. Andrew and the shore of the United States."

The Minister is of opinion that such a line is necessarily a curve, and is represented with evident fairness on the British Admiralty Chart No. 2020. Accepting this line as the true boundary, the inner "middle ground" in Lubeck Narrows is clearly within the limits of Canadian territory, and, therefore, the weirs built there by United States' citizens without licence from the Government of Canada, are illegally set and liable to confiscation, and their owners to prosecution for infraction of the Fisheries Act.

The Minister considers, however, that inasmuch as these weirs have been set and worked for many years past without interference on the part of Canadian officials, the owners are entitled to a certain amount of consideration. He therefore recommends that a carefully worded Notice be drafted by the Department of Justice, informing the owners of these weirs that they are set in Canadian waters, and that, although in consideration of their undisturbed use of the sites, they will be permitted to continue to fish for the remainder of the current season, they are to take notice that licences will not be issued for these sites for the year 1893, and that they will be called upon to completely remove their weirs at the close of the fishing season, or in any event not later than the 30th November, 1892.

The Committee, concurring in the foregoing recommendation, submit the same for your Excellency's approval.

(Signed) JOSEPH POPE,
Assistant Clerk of the Privy Council.

No. 32.

Mr. Herbert to the Earl of Rosebery.—(Received October 24.)

(No. 295.)

My Lord,

Washington, October 14, 1892.

WITH reference to my despatch No. 247 of the 10th ultimo, I have the honour to inclose copy of a note, with its inclosure, which, at the request of the Governor-General of Canada, I have addressed to the United States' Government, in which I have informed them that the provision for the expenses of the Canadian Alaska Boundary Commissioner has been made, and there need, therefore, be no delay in the commencement of the work of the Commission.

I have, &c.
(Signed) MICHAEL H. HERBERT.

Inclosure 1 in No. 32.

Mr. Herbert to Mr. Foster.

Sir,

Washington, October 14, 1892.

WITH reference to your note of the 8th ultimo, I have the honour, in accordance with a request which I have received from the Governor-General of Canada, to inclose copy of an approved Minute of the Canadian Privy Council, from which you will observe that provision for the expenses of the Canadian Alaska Boundary Commissioner has been made, and that there consequently need be no further delay in the commencement of the work of the Commission.

I have the honour at the same time to draw your attention to the suggestion of the Canadian Minister of the Interior, contained in the Minute, that the two Commissioners

be authorized to communicate directly with each other to fix the date of their first meeting.

I have, &c.
(Signed) MICHAEL H. HERBERT.

Inclosure 2 in No. 32.

Report of a Committee of the Privy Council, October 1, 1892.

THE Committee of the Privy Council have had under consideration a despatch, hereto attached, dated the 13th September, 1892, from the Honourable Michael H. Herbert, and the letter therewith of the Honourable Secretary of State of the United States, concerning the appointment of Mr. Mendenhall as Commissioner under Articles I and II of the Alaska Boundary Convention.

The Minister of the Interior, to whom the question was referred, recommends that the necessary steps be taken to inform the Government of the United States that provision for the expenses of the Canadian Commissioner has been made by warrant of your Excellency, and that there need, therefore, be no delay in the commencement of the work of the Commission.

The Minister desires to point out that it might be as well, in order to save time in the arrangement of preliminaries, that the two Commissioners be authorized to communicate directly with each other, and to fix the date of their first meeting.

The Committee submit the above recommendation for your Excellency's approval.

The Committee further advise that your Excellency be moved to inform Her Majesty's Chargé d'Affaires at Washington in the sense of this Minute.

All which is respectfully submitted to your Excellency's approval.

(Signed) JOHN J. McGEE,
Clerk of the Privy Council.

No. 33.

Foreign Office to Colonial Office.

Sir,

Foreign Office, October 26, 1892.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 20th instant, inclosing copy of a despatch from the Governor-General of Canada, forwarding a Minute of the Privy Council with regard to a Notice which it is proposed to issue to certain United States' fishermen who have erected weirs on what are known as the "Middle Grounds" in Lubeck Narrows.

Lord Rosebery agrees with the Marquis of Ripon that, if the proposed Notice has not yet been issued by the Canadian Government, it will be preferable that the people concerned should simply receive warning that their weirs are erected in Canadian waters, and that they may be called upon to remove them.

I am, &c.
(Signed) P. CURRIE.

P.S.—The Chart which accompanied your letter is returned as requested.

P. C.

No. 34.

Mr. Herbert to the Earl of Rosebery.—(Received November 7.)

(No. 306.)

My Lord,

Washington, October 26, 1892.

WITH reference to my despatch No. 295 of the 14th instant in regard to the meeting of the Alaska Boundary Commissioners, I have the honour to inform your Lordship that I have received a note from Mr. Foster, in which he states that the American Commissioner has been instructed to make arrangements, as soon as possible, for the first meeting of the Commission.

I have, &c.
(Signed) MICHAEL H. HERBERT.

Mr. Herbert to the Earl of Rosebery.—(Received November 7.)

(No. 307.)

My Lord,

Washington, October 26, 1892.

WITH reference to my despatch No. 255 of the 16th ultimo respecting the appointment of Mr. F. King as Canadian Commissioner on the Alaska Boundary Commission, I have the honour to inform your Lordship that I have received a note from Mr. Foster, in which he inquires whether Mr. King is also to be the colleague of the Commissioner of the United States, Professor Thomas C. Mendenhall, for the purpose of executing the provision of Article II of the Convention between the United States and Great Britain, concluded the 22nd July, 1892, in relation to determining and accurately marking the boundary-line between the two countries in the neighbourhood of Eastport, Maine. Mr. Foster states that Professor Mendenhall's appointment makes him the Commissioner of this Government for the work embraced in Articles I and II of that Treaty, and it is to satisfy his inquiry upon this point that the information is desired.

I have forwarded a copy of Mr. Foster's note to the Governor-General of Canada.

I have, &c.

(Signed) MICHAEL H. HERBERT.

No. 36.

Foreign Office to Colonial Office.

Sir,

Foreign Office, November 9, 1892.

WITH reference to my letter of the 5th ultimo respecting the Alaska Boundary Commission, I am directed by the Earl of Rosebery to transmit copy of a despatch from Her Majesty's Chargé d'Affaires at Washington, the purport of which is as follows.

Mr. Herbert states that he has received a note from Mr. Foster inquiring whether Mr. King is to be Professor Mendenhall's colleague for the purpose of executing the provision of Article II of the Convention between the United States and Great Britain of the 22nd July, 1892, in relation to determining and accurately marking the boundary-line between the two countries in the neighbourhood of Eastport, Maine.

Lord Rosebery would be glad to be informed what reply the Marquis of Ripon would wish to be returned to Mr. Foster's inquiry.

I am, &c.

(Signed) T. V. LISTER.

No. 37.

Sir J. Pauncefote to the Earl of Rosebery.—(Received December 4.)

(No. 326.)

My Lord,

Washington, November 17, 1892.

WITH reference to Mr. Herbert's despatch No. 307 of the 26th ultimo, I have the honour to inform your Lordship that I have received a communication from the Governor-General of Canada, in which it is stated that it is the intention of the Canadian Government to appoint Mr. King as Commissioner under both Articles of the Convention concluded between Great Britain and the United States on the 22nd July, 1892.

I have accordingly so informed the United States' Government.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Printed for the use of the Foreign Office. April 1894.

CONFIDENTIAL.

(6470.)

PART VI.

FURTHER CORRESPONDENCE

RESPECTING THE

BOUNDARY BETWEEN THE BRITISH POSSESSIONS IN
NORTH AMERICA

AND THE

TERRITORY OF ALASKA.

1893.

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CONFIDENTIAL.

Further Correspondence respecting the Boundary between the
British Possessions in North America and the Territory of
Alaska.

PART VI.

No. 1.

Colonial Office to Foreign Office.—(Received February 14.)

Sir,

Downing Street, February 13, 1893.

WITH reference to your letter of the 26th October last, and to previous correspondence respecting the erection of weirs by United States' fishermen on the "Middle Ground" in Lubeck Narrows, I am directed by the Marquis of Ripon to transmit to you, for the information of the Earl of Rosebery, a copy of a despatch, with its inclosure, from the Governor-General of Canada, on the subject.

I am, &c.

(Signed) EDWARD FAIRFIELD.

Inclosure 1 in No. 1.

Lord Stanley of Preston to the Marquis of Ripon.

(Confidential.)

My Lord,

Government House, Ottawa, January 20, 1893.

WITH reference to previous correspondence on the subject of the action which this Government propose to take in respect of certain weirs erected by United States' fishermen on the "Middle Ground" in Lubeck Narrows, Passamaquoddy Bay, I have the honour to forward copy of an approved Report of the Privy Council, from which it will be observed that, in accordance with the suggestion made in your Lordship's Confidential despatch of the 1st November last, Ministers have decided to refrain for the present from taking active measures to enforce Canadian rights in the waters in question.

I have, &c.

(Signed) STANLEY OF PRESTON.

Inclosure 2 in No. 1.

Report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General in Council on the 13th January, 1893.

THE Committee of the Privy Council have had under consideration a Confidential despatch, hereto attached, dated the 1st November, 1892, suggesting that no active measures be taken at present against the owners of certain weirs erected by United States' fishermen on the "Middle Ground" in Lubeck Narrows, Passamaquoddy Bay, beyond

simply notifying them that their weirs are erected in Canadian waters, and that they may be called upon to remove them.

The Minister of Marine and Fisheries, to whom the despatch was referred, states that, on further consideration, and after advising with the Commissioner appointed by the Canadian Government touching the boundary, he agrees that the subject should remain *in statu quo*.

The Committee advise that your Excellency be moved to inform the Right Honourable the Secretary of State for the Colonies in the sense of this Minute.

All which is respectfully submitted, for approval.

(Signed)

JOHN J. McGEE,
Clerk of the Privy Council.

No. 2.

Foreign Office to Colonial Office.

Sir,

Foreign Office, March 4, 1893.

WITH reference to your letter of the 21st December last,* I am directed by the Earl of Rosebery to transmit herewith a draft of a letter which it is proposed to address to Mr. William Frederick King,† inclosing Her Majesty's Commission to enable him to act as British Commissioner under the provisions of Articles I and II of the Convention signed at Washington on the 22nd July, 1892, for a joint delimitation of the existing boundary-line between the United States and Her Majesty's possessions in North America.

I am to say that Lord Rosebery would be glad to be informed, as soon as convenient, whether the Secretary of State for the Colonies concurs in the terms of the proposed letter to Mr. King.

I am, &c.
(Signed) T. V. LISTER.

No. 3.

Colonial Office to Foreign Office.—(Received March 8.)

Sir,

Downing Street, March 7, 1893.

IN reply to your letter of the 4th instant, I am directed by the Marquis of Ripon to acquaint you, for the information of the Earl of Rosebery, that he concurs in the terms of the letter which it is proposed to address to Mr. William F. King as to his duties as British Commissioner under Articles I and II of the Convention signed at Washington on the 22nd July last for a joint delimitation of the existing boundary between the United States and Her Majesty's possessions in North America.

I am, &c.
(Signed) JOHN BRAMSTON.

No. 4.

Foreign Office to Colonial Office.

Sir,

Foreign Office, March 8, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your letter of the 7th instant, concurring in the terms of the letter which it is proposed to address to Mr. William F. King as to his duties as British Commissioner under Articles I and II of the Convention signed at Washington for a joint delimitation of the existing boundary between the United States and Her Majesty's possessions in North America.

I now inclose the letter in question,† and I am to request that it may be forwarded to its destination through the Dominion Government.

I am, &c.
(Signed) T. V. LISTER.

* Not printed.

† See No. 5.

No. 5.

The Earl of Rosebery to Mr. King.

Sir,

Foreign Office, March 8, 1893.

THE Queen having been graciously pleased to appoint you to be Her Majesty's Commissioner under Articles I and II of the Convention between Her Majesty and the United States of America signed at Washington on the 22nd July last, I transmit to you Her Majesty's Commission under the Great Seal to enable you to act in that capacity.

You will find in the Convention, of which a copy is inclosed herewith for your guidance, a general indication of your duties, which are to effect, in concert with the Commissioner appointed by the United States, a coincident or joint survey (as may be found in practice most convenient) of the territory adjacent to that part of the boundary-line of the Dominion of Canada and the United States which extends from latitude $54^{\circ} 40'$ north to the point where the line meets the 141st meridian of longitude west of Greenwich, with a view to the permanent delimitation of the boundary-line in accordance with the spirit and intention of the Treaties in regard to it.

You are also, in concert with the United States' Commissioner, to determine upon a method of more accurately marking the boundary-line between Canada and the United States in Passamaquoddy Bay, and to place buoys or fix such other boundary-marks as may be necessary.

You will take your instructions from the Government of Canada, to whom you will also address your Reports, and by whom the expenses connected with your mission will be defrayed.

A collection of Confidential Printed Correspondence on the questions connected with the settlement of the frontier is inclosed herewith for your information. You will be careful to keep it under lock and key, and to return it to this Office on the completion of your labours.

I am, &c.

(Signed) ROSEBERY.



Printed for the use of the Foreign Office. March 1896.

CONFIDENTIAL.

(6752.)

PART VII

FURTHER CORRESPONDENCE

RESPECTING THE

BOUNDARY BETWEEN THE BRITISH POSSESSIONS IN
NORTH AMERICA

AND THE

TERRITORY OF ALASKA.

1894-95.

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CONFIDENTIAL.

Further Correspondence respecting the Boundary between the
British Possessions in North America and the Territory of
Alaska.

PART VII

No. 1.

Sir J. Pouncefote to the Earl of Rosebery.—(Received January 1, 1894.)

(No. 253.)

My Lord,

Washington, December 22, 1893.

I HAVE received from the Governor-General of Canada the inclosed copy of an approved Minute of the Privy Council of the Dominion, representing that by the Convention of the 22nd July, 1892, for the survey of the territory adjacent to the boundary between British Columbia and the United States' possessions in Alaska, the time allowed to the Commissioners to complete the survey and submit their final reports expires on the 28th November, 1894, and recommending that, as this period will not be sufficient for the purpose, the time be extended until the 31st December, 1895.

At the request of the Earl of Aberdeen, I have transmitted a copy of this Minute to the United States' Secretary of State, and have asked him to be good enough to ascertain the views of his Government with regard to the extension of time proposed by the Government of the Dominion.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 1.

Report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General in Council on the 7th December, 1893.

ON a Report, dated the 2nd December, 1893, from the Minister of the Interior, stating that the Convention for the survey of the territory adjacent to the boundary between British Columbia and the possessions of the United States in Alaska requires the Commissioners to complete the survey and submit their final reports thereof within two years from the date of their first meeting.

The Minister further states that the Joint Commissioners, Dr. Mendenhall, for the United States, and Mr. W. F. King, for the Dominion of Canada, held their first meeting on the 28th November, 1892: the time allowed by the Convention therefore expires on the 28th November, 1894, the intention of the framers of the Convention evidently being to allow two complete seasons of field work. The photographic method, however, which the Canadian Commissioner has been using this season, and by which alone it is possible at any reasonable expense to attain an adequate idea of

such a long stretch of country in two seasons, requires six or seven months' office work after the conclusion of the summer's operations in developing the photographs and plotting from them and compiling the necessary topographical maps.

The Minister further states that the Canadian Commissioner reports that if full advantage be taken of the Alaskan summer season next year, it will not be possible to get the full results from the season's operations until long after the terminal date fixed by the Convention, and he also reports that when the topographical maps have been completed, a considerable time will be required by the Commissioners for discussion and the preparation of their Report.

The Minister is of opinion that it would be advisable, in view of the Report of the Canadian Commissioner, that the time for the completion of the survey and the submitting of the final Reports thereof be extended until the 31st December, 1895.

The Committee advise that your Excellency be moved to forward a certified copy of this Minute to Her Majesty's Ambassador at Washington.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE,

Clerk of the Privy Council.

No. 2.

Foreign Office to Colonial Office.

Sir,

Foreign Office, January 11, 1894.

WITH reference to the letter from this Department of the 8th March last, I am directed by the Earl of Rosebery to transmit to you, for the information of the Secretary of State for the Colonies, the accompanying copies of a despatch, and its inclosures, from Her Majesty's Ambassador at Washington,* reporting the steps which he has taken to ascertain the views of the United States' Government in regard to a desire, expressed by the Canadian Government, that the period assigned for the completion of the survey and reports of the Alaska Boundary Commission should be extended from the 2nd November next, when it would naturally expire, to the 21st December, 1895.

His Lordship proposes, subject to the Marquis of Ripon's concurrence, to approve Sir J. Pouncefote's action in the matter.

I am, &c.

(Signed)

FRANCIS BERTIE.

No. 3.

Sir J. Pouncefote to the Earl of Rosebery.—(Received January 18.)

(No. 6.)

My Lord,

Washington, January 9, 1894.

WITH reference to my despatch No. 253 of the 22nd ultimo, I have the honour to inclose copy of a draft Convention which I have received from the United States' Secretary of State, extending to the 31st December, 1895, the time within which, pursuant to Article I of the Convention of the 22nd July, 1892, the British and American Commissioners for the survey of the boundary between the United States and Her Majesty's possessions in North America shall complete the survey and submit their final Reports.

Mr. Gresham adds that, if this draft is acceptable to Her Majesty's Government, he shall be glad to cause it to be engrossed in duplicate for signature at the earliest possible date.

I have forwarded copy of this draft Convention to the Governor-General of Canada.

I have, &c.

(Signed)

JULIAN PAUNCEFOTE.

Inclosure in No. 3.

Draft Treaty between Great Britain and the United States.

THE Governments of the United States of America and of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being credibly advised that the labours of the Commission, organized pursuant to the Convention which was concluded between the High Contracting Parties at Washington the 22nd July, 1892, providing for the delimitation of the existing boundary between the United States and Her Majesty's possessions in North America, in respect to such portions of said boundary-line as may not, in fact, have been permanently marked in virtue of Treaties heretofore concluded, cannot be accomplished within the period of two years from the first meeting of the Commission as fixed by that Convention, have deemed it expedient to conclude a supplementary Convention extending the term for a further period, and for this purpose have named as their respective Plenipotentiaries:—

The President of the United States, the Honourable Walter Q. Gresham, Secretary of State of the United States; and

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, his Excellency Sir Julian Pauncefote, G.C.B., G.C.M.G., Ambassador Extraordinary and Plenipotentiary of Great Britain;

Who, after having communicated to each other their respective Full Powers, which were found to be in due and proper form, have agreed upon the following Articles:—

ARTICLE I.

The third paragraph of Article I of the Convention of the 22nd July, 1892, states that the respective Commissions shall complete the survey and submit their final Reports thereof within two years from the date of their first meeting. The Joint Commissioners held their first meeting the 28th November, 1892; hence the time allowed by that Convention expires the 28th November, 1894. Believing it impossible to complete the required work within the specified period, the two Governments hereby mutually agree to extend the time to the 31st December, 1895.

ARTICLE II.

The present Convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty; and the ratifications shall be exchanged at Washington at the earliest practicable date.

In faith whereof we, the respective Plenipotentiaries, have signed this Convention, and have hereunto affixed our seals.

Done in duplicate at Washington, the day of , 1894.

(Seal.)

(Seal.)

No. 4.

Colonial Office to Foreign Office.—(Received January 19.)

Sir,

Downing Street, January 18, 1894.

I AM directed by the Marquis of Ripon to acknowledge the receipt of your letter of the 11th instant inclosing a copy of a despatch from Her Majesty's Ambassador at Washington reporting that he had, at the request of the Dominion Government, requested the United States' Government to agree to an extension of the time for completing the Alaska boundary survey to the 21st December, 1895.

In reply, I am to acquaint you, for the information of the Earl of Rosebery, that Lord Ripon concurs in his Lordship's proposal to approve of Sir J. Pauncefote's action in this matter.

I am, &c.
(Signed) EDWARD FAIRFIELD.

No. 5.

Foreign Office to Colonial Office.

Sir, *Foreign Office, January 22, 1894.*
WITH reference to your letter of the 18th instant, I am directed by the Earl of Rosebery to transmit to you, to be laid before Her Majesty's Secretary of State for the Colonies, the accompanying copy of a despatch from Her Majesty's Minister at Washington,* inclosing a draft Convention which has been prepared by the United States' Government for extending to the 31st December, 1895, the time for the completion of the work of the Alaska Boundary Commission.

Lord Rosebery would be glad to be informed whether the Marquis of Ripon considers the terms of the Convention proposed by the United States' Government to be acceptable.

A copy of the draft Convention has been sent to the Governor-General of Canada direct from Washington.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 6.

Colonial Office to Foreign Office.—(Received January 27.)

Sir, *Downing Street, January 27, 1894.*
IN reply to your letter of the 22nd instant respecting the Alaska Boundary Convention, I am directed by the Marquis of Ripon to transmit to you, for the information of the Earl of Rosebery, copies of telegraphic correspondence with the Governor-General of Canada on the subject.

I am to add that Lord Ripon sees no objection to the draft Convention.

I am, &c.
(Signed) EDWARD FAIRFIELD.

Inclosure 1 in No. 6.

The Marquis of Ripon to the Earl of Aberdeen.

(Telegraphic.) *Downing Street, January 25, 1894.*
DO your Ministers agree to draft of Convention Alaska Boundary sent to you by Pauncefote?

Inclosure 2 in No. 6.

The Earl of Aberdeen to the Marquis of Ripon.

(Telegraphic.) *January 25, 1894.*
YOUR Lordship's telegram of 25th January.
My Ministers agree as to draft Convention Alaska Boundary.

No. 7.

The Earl of Rosebery to Sir J. Pauncefote.

(No. 7.)

(Telegraphic.) P.

Foreign Office, January 29, 1894.

I HAVE considered your despatch No. 6 of the 9th instant. You may, on behalf of Her Majesty's Government, accept and sign the draft Convention, inclosed therein, respecting the Alaska boundary.

No. 8.

Foreign Office to Colonial Office.

Sir,

Foreign Office, January 31, 1894.

WITH reference to your letter of the 27th instant respecting the Alaska Boundary Convention, I am directed by the Earl of Rosebery to state, for the information of the Secretary of State for the Colonies, that Her Majesty's Ambassador at Washington has been informed by telegraph that Her Majesty's Government accept the draft proposed by the United States' Government, and that he may sign the Convention.

I am, &c.

(Signed) FRANCIS BERTIE.

No. 9.

Sir J. Pauncefote to the Earl of Rosebery.—(Received February 17.)

(No. 12.)

(Telegraphic.) P.

Washington, February 17, 1894.

MR. GRESHAM has invited me to proceed to the exchange of ratifications of the Supplemental Convention respecting the Alaskan Boundary Commission, the signature of which I reported to your Lordship in my despatch No. 21 of the 6th instant. I should be glad to receive your Lordship's authorization for that purpose.

No. 10.

Sir J. Pauncefote to the Earl of Rosebery.—(Received February 19.)

(No. 21.)

My Lord,

Washington, February 6, 1894.

WITH reference to your Lordship's telegram No. 7 of the 29th ultimo, I have the honour to report that the Convention extending to the 31st December, 1895, the time for the completion of the survey of the boundary between the United States and Her Majesty's possessions in North America was duly signed by Mr. Gresham and myself on the 3rd instant.

The text of the signed Convention follows word for word that of the draft transmitted to your Lordship in my despatch No. 6 of the 9th ultimo, which appears in Section 1, of the 18th January, of the Alaska Boundary Confidential Print.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 11.

The Earl of Rosebery to Sir J. Pauncefote.

(Treaty.)

(Telegraphic.) P.

Foreign Office, February 19, 1894.

I HAVE received your telegram No. 12 of the 17th instant on the subject of the Alaska Boundary Convention.

The original Convention should be sent to the Foreign Office.

The British ratification will be sent to you with as little delay as possible.

No. 12.

Viscount Gough to the Marquess of Salisbury.—(Received July 15.)

(No. 175.)

My Lord,

Newport, July 5, 1895.

I HAVE the honour to transmit herewith copy of a telegram, dated the 1st June, addressed by the Governor-General of Canada to Her Majesty's Ambassador, and of a despatch, dated the 22nd June, inclosing an extract from a Report of the Canadian Privy Council of the 1st June last, upon the subject of the administration of the region in Canada drained by the Yukon River.

Upon receipt of the above telegram Her Majesty's Ambassador obtained from the United States' Government the facilities required for the passage of stores, including rifles, through United States' territory, special telegraphic instructions being issued by the courtesy of the United States' Government to the various Customs officials in order to preclude the occurrence of any delay in what appeared to be a matter of urgency. The telegram of the 1st June stated that the object of the expedition of twenty police with rifles to the Yukon country was the maintenance of order, and the full reasons will be found in paragraphs 6 and 7 of the Privy Council Report.

The Report suggests that the United States' authorities be approached with a view to co-operation in the delineation of the boundary of the Yukon district, and I have the honour to request your Lordship's instructions on this point.

I have, &c.

(Signed) GOUGH.

Inclosure 1 in No. 12.

The Earl of Aberdeen to Sir J. Pauncefote.

(Telegraphic.)

Ottawa, June 1, 1895.

A DETACHMENT of twenty members of mounted police leave Regina to-day *en route* for Canadian section of Yukon country, to arrive at destination by most convenient route at present available, must embark at Seattle, State of Washington, and tranship at St. Michael's, Alaska, their stores, including rifles, being forwarded as freight by the same route. It would greatly facilitate the passing of such stores through United States of America if instructions were issued by Treasury Department to Customs officer at entry and place of transhipment.

Object of expedition being maintenance of order in Canadian mining country adjacent to United States of America, Territory of Alaska, I hope no difficulties in having requisite instructions telegraphed.

Full particulars by post.

Inclosure 2 in No. 12.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 1st June, 1895.

ON a Report, dated the 14th May, 1895, from the Minister of the Interior, submitting that, in the year 1887, the Honourable Thomas White, the Minister of the Interior, authorized the organization of an expedition having for its object the

exploration of that region of the North-West Territories of Canada which is drained by the Yukon River. The work was intrusted to Dr. George M. Dawson, now the Director of the Geological Survey, and Mr. William Ogilvie, the well-known explorer and surveyor. Mr. Dawson devoted the whole of that season, and Dr. Ogilvie a period covering nearly two years, to obtain geological, topographical, and general information, chiefly respecting the tract of country lying adjacent to the 141st meridian of longitude, which, by the Treaty of St. Petersburg, is designated as the boundary-line from Mount St. Elias to the Arctic Ocean between Alaska and the adjoining possessions of the British Crown which now form part of the North-West Territories of Canada.

2. The Minister states that the explorers found that in proximity to the boundary-line there existed extensive and valuable placer gold mines, in which even then as many as 300 miners were at work. Mr. Ogilvie determined, by a series of lunar observations, the point at which the Yukon River is intersected by the 141st meridian, and marked the same on the ground. He also determined and marked the point at which the western affluent of the Yukon, known as Forty Mile Creek, is crossed by the same meridian line, that point being situated at a distance of about 23 miles from the mouth of the creek. This survey proved that the place which has been selected as the most convenient, owing to the physical conformation of the region, from which to distribute the supplies imported for the various mining camps, and from which to conduct the other business incident to the mining operations—a place situate at the confluence of the Forty Mile Creek and the Yukon, and to which the name of Fort Cudahy has been given—was well within Canadian territory. The greater proportion of the mines then being worked Mr. Ogilvie found to be on the Canadian side of the international boundary-line; but he reported the existence of some mining fields to the south, the exact position of which, with respect to the boundary, he did not have the opportunity to fix.

The Minister further states that the number of persons engaged in mining in the locality mentioned has steadily increased year by year since the date of Mr. Ogilvie's survey, and it is estimated that at the present time not less than 1,000 men are so employed. This number, it is certain, will be greatly augmented during the current season, for reports of the mineral wealth of the region have become widespread—reports which the geological observations of Dr. Dawson would indicate to be well founded. Incident to this mineral development there must follow a corresponding growth in the volume of business of all descriptions, particularly the importation of dutiable goods, and the occupation of tracts of the public lands for mining purposes, which, according to the Mining Regulations, are subject to the payment of certain prescribed dues and charges. The Alaska Commercial Company for many years subsequent to the retirement of the Hudson's Bay Company had a practical monopoly of the trade of the Yukon, carrying into the country and delivering at various points along the river, without regard to the international boundary-line or the Customs Laws and Regulations of Canada, such articles of commerce as were required for the prosecution of the fur trade, and latterly of placer mining, these being the only two existing industries. With the discovery of gold, however, came the organization of a competing Company, known as the North American Transportation and Trading Company, having its head-quarters in Chicago, and its chief trading and distributing post at Cudahy. This Company has been engaged in this trade for the past three years, and during the present season will dispatch two ocean steamers from San Francisco to St. Michael's, at the mouth of the Yukon, the merchandize from which will at the last-mentioned point be transhipped into river steamers and carried to points inland, but chiefly to the Company's distributing centre within Canadian territory. Importations of considerable value, consisting of the immediately requisite supplies of the miners and their tools, also reach the Canadian portion of the Yukon district from Juneau, in the United States, by way of the Taiya Inlet, the mountain passes, and the chain of water-ways leading therefrom to Cudahy. Upon none of these importations has any duty been collected, except a sum of 3,248 dol. 80 c. paid to Inspector Constantine last year by the North American Transportation and Trading Company and others, and it is safe to conclude, especially when it is remembered that the country produces none of the articles consumed within it except fresh meat, that a very large revenue is being lost to the public Exchequer under existing conditions.

3. The Minister adds that the Right Rev. W. C. Bompas, Bishop of the Anglican Diocese of Selkirk, whose head-quarters and residence are situate near the place known as Cudahy, and who has devoted many years to the work of civilizing and Christianizing the native Indian population of that remote district, has, in a series of

letters addressed to various persons, including himself (the Minister), called attention to the existence on a large scale of an illicit traffic in intoxicating liquors, and the unsatisfactory social conditions produced by the bringing together of so many men of different nationalities at a spot where the means of enforcing law and order, and of protecting life and property, are so insufficient. These representations have received the strongest confirmation from other trustworthy sources, among which may be specially mentioned the officers of the North American Transportation and Trading Company.

4. The Minister further states that, for the purpose of ascertaining officially and authoritatively the condition of affairs to which the correspondence referred to in the next preceding paragraph of this Minute relates, the Honourable the President of the Privy Council, during the spring of 1894, dispatched Inspector Charles Constantine, of the North-West Mounted Police Force, accompanied by Sergeant Brown, to Fort Cudahy and the mining camps in its vicinity. A copy of the Report made by Mr. Constantine on his return, dated the 10th October, 1894, is appended to this Minute. It establishes the substantial accuracy of the representations already referred to herein. The value of the total output of gold for the past season he estimates at 300,000 dollars, a very large sum considering the relatively short period to which mining operations are, by the nature of the climate, confined. Mr. Constantine left Sergeant Brown at Cudahy for the winter, and that officer has since made reports to his superior officer at regular intervals, the result of which has been to keep the North-West Mounted Police Department well informed as to the condition of the Settlement, and to fortify still further the demand for organized government.

5. The Minister considers that the facts recited clearly establish, first, that the time has arrived when it becomes the duty of the Government of Canada to make more efficient provision for the maintenance of order, the enforcement of the laws, and the administration of justice in the Yukon country, especially in that section of it in which placer mining for gold is being prosecuted upon such an extensive scale, situated near to the boundary separating the North-West Territories from the possessions of the United States in Alaska; and, second, that while such measures as are necessary to that end are called for in the interests of humanity, and particularly for the security and safety of the lives and property of the Canadian subjects of Her Majesty resident in that country who are engaged in legitimate business pursuits, it is evident that, under existing circumstances, a large revenue which is justly due to the Government of Canada, under its Customs, Excise, and Land Laws, and which would go a long way to pay the expenses of government, is being lost for the want of adequate machinery for its collection.

6. The Minister accordingly recommends, with the concurrence of the Honourable the President of the Council, that a detachment of twenty members of the mounted police force, including officers, be detailed at as early a day as possible for service in that portion of the North-West Territories to which this Minute relates; the officer in command, in addition to the magisterial and other duties he may be required to perform by virtue of his office, and under instructions from the Department of Mounted Police, to represent, where necessary, and until other arrangements can be made, all the Departments of the Government having interests in that region, and that particularly he be authorized to perform the duties of Dominion Lands Agent, Collector of Customs, and Collector of Inland Revenue, for which services he shall be paid, in addition to his salary, a commission of 10 per cent. on all sums lawfully collected and satisfactorily accounted for, such percentage not to exceed the sum of 1,000 dollars per annum.

7. The Minister further states that the police, in order to reach their destination by the most convenient route at present available, will have to travel through the United States for a considerable portion of the distance, embarking at Seattle, State of Washington, and transshipping at St. Michael's, Alaska; their stores, including their rifles, will be forwarded as freight by the same route. It would, no doubt, greatly facilitate the passing of such stores through the United States if an intimation of the objects of the expedition were conveyed by your Excellency to the Government of that country, through Her Majesty's Ambassador at Washington, and instructions issued by the Treasury Department to the Customs officers at the port of entry in the State of Washington, and at the place of transshipment in Alaska.

The Minister has caused instructions to be given Mr. William Ogilvie, the surveyor referred to in the first paragraph of this Minute as having, with Dr. Dawson, been intrusted with the conduct of the first Government expedition to the Yukon, to proceed again to that district for the purpose of continuing and extending the work of

determining the 141st meridian, of laying out building lots and mining claims, and generally of performing such duties as may be intrusted to him from time to time. Mr. Ogilvie's qualifications as a surveyor and his previous experience as explorer of this section of the North-West peculiarly fit him for the task.

The Minister observes that, as it appears quite certain, from the Report made by Mr. Ogilvie on his return to Ottawa in 1889, and from the Report of Mr. Constantine, that the operations of the miners are being conducted upon streams which have their sources in the United States' Territory of Alaska, and flow into Canada on their way to join the Yukon, and as doubtless some of the placer diggings under development are situated on the United States' side of the boundary, it is highly desirable, both for the purpose of settling definitely to which country any land occupied for mining or other purposes actually belongs, and in order that the jurisdiction of the Courts and officers of the United States and Canada, for both civil and criminal purposes, may be established, that the determination of the 141st meridian west of Greenwich, from the point of its intersection with the Yukon, as marked by Mr. Ogilvie in 1887-88, for a considerable distance south of the river, and possibly also for some distance to the north, should be proceeded with this season. Mr. Ogilvie's instructions require him to go on with this survey with all convenient speed; but in order that this work may be effective for the accomplishment of the object in view the co-operation of the Government of the United States is necessary. That co-operation may be had in one of two forms: first, and preferably, the appointment of a surveyor to act jointly with Mr. Ogilvie in determining so much of the line as may be found necessary for the purpose of defining the territory of the two countries at the points where the administration of public affairs actually requires this to be done; or, secondly, if the co-operation of the United States in surveying the line cannot be had at this stage, that the demarcation of it which will be made on the ground by Mr. Ogilvie will be recognized by both countries for the present, without prejudice, however, to the rights of either party, when at a later stage a joint delimitation of the line shall be made.

The Minister recommends that the necessary steps be taken to ascertain whether the co-operation of the United States can be obtained in this project, and, if possible, that, in the event of the second alternative proposition being adopted, the Government of the United States will share with the Government of Canada the expense of this preliminary survey.

The Minister states that a precedent for the course recommended was established in 1877, when the boundary between the possessions of the two countries on the Stikine River was surveyed by a Canadian officer, Mr. Joseph Hunter, and accepted by both for the purposes and on the conditions now suggested in respect of the Yukon. It is observed, however, that, while the United States accepted the Stikine survey, in which it had an equal interest with Canada, it paid no part of the expense.

The Minister states that it may be well to add that the Convention entered into at Washington in 1892, between the United States of America and Her Britannic Majesty, for a joint or coincident survey of the territory adjacent to the boundary between Alaska and the North-West Territories of Canada, has relation only to the southern part of the said boundary, and not to the part of it which is formed by the 141st meridian.

The Committee, concurring in the Report of the Minister of the Interior, advise that your Excellency be moved to forward a certified copy of this Minute, and of its Appendices, to his Excellency Her Majesty's Ambassador to the United States.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE,

Clerk of the Privy Council.

Sir,

Moosomin, North-West Territories, October 10, 1894.

I have the honour to report, for your information, that, in obedience to an order received through the Commissioner of the North-West Mounted Police, I left my station at Moosomin, North-West Territories, on Sunday, the 20th day of May, 1894, arriving in Ottawa on the morning of Wednesday, the 23rd May, and reported to the Comptroller of the North-West Mounted Police.

At Ottawa I received instructions from various Departments of the Government to represent them as Dominion Government Agent. On Saturday, the 26th day of May, I left for Regina, viâ Chicago, having been instructed to return by that route in order to see persons interested in the Yukon country. Mr. Hamilton, the Secretary and Treasurer of the North American Transportation and Trading Company, having left Chicago for Seattle, I called on Mr. P. B. Weare, the President of the Company, who wrote and wired to Mr. Hamilton to meet me at Victoria, British Columbia, on Monday, the 11th June, 1894. Mr. Hamilton was there on that date, but through the delays caused by the floods in the valleys of the Columbia and Fraser Rivers I did not get there in time.

I arrived in Regina on Friday, the 1st June, and reported to the Commissioner for any final instructions he might have to give. I left the same day for my post, Moosomin, in order to prepare for the journey.

On Wednesday, the 6th June, 1894, at 7:50 P.M., I started for Victoria, British Columbia, with a hope and slight chance of getting there in order to catch the steamer leaving there on the 12th for Juneau city, Alaska. Staff-Sergeant Brown, of the North-West Mounted Police, joined me at Broadview, North-West Territories, the same night, he being the non-commissioned officer whom I had chosen to go through with me. We arrived at Victoria, British Columbia, at 11:30 on the night of the 17th June, 1894.

On the 22nd June, five days later, I left for Juneau city on the steamer "Queen," arriving at 11:30 A.M. on Tuesday, the 26th June, and found that there was no connection with Dai-Yah at the head of Chilkoot Inlet, and would have to wait until the arrival of the steamer "Chilkat," the usual steamer, the "Rustler," undergoing repairs.

While at Juneau city I laid in my supplies for the trip, as well as various tools, nails, &c., necessary for the building of a boat.

On Friday, the 29th June, 1894, at 7 P.M., the "Chilkat" arrived, and left at 3 A.M. for Dai-Yah. At 9 P.M. on the 29th the steamer "Thistle," survey-boat, came into port. I had not an opportunity of seeing Mr. Ogilvie, as it was uncertain at what hour the "Chilkat" would leave, and could not get any definite information from her officers. At 4 P.M. on the 29th I arrived at Dai-Yah. I at once set about to arrange for final start into the interior. The Indians here are a set of thieves and robbers. Their brain seems to be able to take in but one idea, and that is how much they can get out of you, and being at their mercy as to packing I had as a rule to submit to their extortion.

Saturday, the 30th, was spent in getting the packs made up, and on Sunday, the 1st July, at 7 A.M., we started with seven packs, weighing 800 lbs., at 15 cents per 1 lb.

I left some things at Dai-Yah in charge of Mr. Wilson, a trader there, in order to lessen the weight. They consisted mainly of Forms, Returns, and general stationery which I had sorted over, and a few private clothes, in all amounting to about 300 lbs. We took only a change with us.

For the first 3 miles the path through the woods was good. Then commenced the crossing and recrossing of the river, the water icy cold, and from 1 to 4 feet deep. The shallow parts we waded, and the deeper were crossed either in a canoe or on the backs of Indians, they always taking care to exact 25 cents for each crossing. About 9 P.M. we reached the Cañon and camped for the night.

The name of this river is the Dai-Yah, and at this season was navigable for canoes a distance of about 8 miles from the mouth. The distance travelled this day was about 13 miles.

The next day, the 2nd July, was one of hard travel, the upward grade increasing. Camped at the "Stone Houses," so called from large masses of rocks which have come down from the mountains on either side, and which give a little rude shelter from the cold winds blowing up or down the narrow pass.

At 4 A.M. on Tuesday, the 3rd July, 1894, we broke camp and started for the summit, 3,502 feet above the level of the sea, a hard and dangerous climb over bare rocks and soft snow most of the distance, sinking to nearly our knees at every step. At 4:30 we reached the head of Lake Linderman, where we camped, having been over twelve hours making 12 miles. On Friday, the 6th July, left Linderman and arrived at Fort Cudahy, on the Yukon, at 11:30 on Tuesday, the 7th day of August, 1894, after twenty days' actual travelling, having lost through weather, building of boat, &c., sixteen days.

Routes.

The routes from the south-west to the interior are four in number, viz.:—

The Chilkoot Pass.

The Chilkat Pass.

The White Pass, and up the Taku Inlet and River.

Of these, the Chilkoot is the one used, it may be said, altogether. Starting from the head of Chilkoot Inlet, it goes over the divide, commonly called the "summit," to Lake Linderman, which is connected with Lake Bennet by a swift and narrow river, which is usually run to the head of a rocky point where further progress is arrested by a pile of boulders in midstream. Boats are carried over this point, being about 50 yards wide. Supplies have to be packed a distance of about a mile over a sandy though otherwise a fairly easy portage. From the head of Lake Bennet there are no impediments to navigation until the Cañon is reached. The average boat can be, and usually is, run through this water with part of the load in large boats. The portage about a mile in length, and is a hard one to get over, there being several steep rises, especially the one at the north end, where a rude windlass has been erected for the purpose of hauling up or letting down boats.

The White Horse, a mile or so below the Cañon, is very seldom utilized, though it has been used, notably two seasons ago, by a party of whisky men, in a large scow or barge. I was told this by a miner who was at the rapids at the time and saw it. He said the run was made on the east side of the river, and the boat at the lower end kept alongside the comb of the waves, the boat being steered by a large sweep oar in the stern, and the two men rowing. The boat did not ship water. I am quite satisfied to make the portage of about a mile. From this point to the "Five Fingers" all is smooth travelling, always allowing for wind on the lakes, which often delays people for some days at a time.

The Chilkat Pass is seldom used except by the Indians. There is a trail across from here which comes out at Fort Pelly, and is said to be 200 miles in length, through a wooded country. Horses have been brought into the country by this route. I heard that four were coming in this fall in charge of a man by the name of Dalton.

So far as I can learn the White Pass is not used by any one.

The fourth route mentioned above is one starting from the head of Taku Inlet. It has been travelled by several miners, among them Mr. Neil McArthur, who has been in the country for many years, also has mined in the Cassiar and Cariboo diggings. Mr. McArthur kindly gave me a rough sketch of the lay of the country, which I find nearly agrees with a rough survey made by Mr. Charles Welland Hayes, one of Lieutenant Schwatka's party in the spring of 1891. A rough map as Mr. McArthur described the route is attached.

This route being used would necessitate a travel over about 30 miles which lies in American territory. This no doubt by arrangements between the Governments might be made a regular route for entrance into the country, as the British and American subjects engaged in mining there at the present time are about equally divided.

Mr. Hayes' Report is as follows:—

"Our party consisted at the start of three white men, Mr. Schwatka, the prospector, Mark Russell, and the writer, with seven Indians engaged as boatmen and packers for the first stage of the journey. After a few days spent completing the outfit and waiting for the river to become free of ice, we left Juneau on the 25th May, 1891.

"The large 2-ton dugout canoe in which we embarked was well adapted for navigating the deep waters of the inlet, but we found it poorly suited to the swift and shallow rivers. When the wind blew up stream rapid progress was made, in spite of the current, by spreading two large sails, wing and wing, but when the wind failed our progress, by pulling or tracking, whenever banks permitted, was painfully slow. Seven days were spent in reaching the head of canoe navigation, 8 miles above the South Fork, and about 84 from Juneau. During this part of the journey little opportunity was afforded for studying the geology of the regions traversed, since the boatmen usually kept to the middle of the valley, and we usually made camp at night on one of the small islands which separate the river into many small channels.

"While the Taku River is far from being an ideal highway to the interior, still a flat-bottomed steamer of light draft and good power would probably have no serious difficulty in reaching the mouth of the South Fork, less than 100 miles from a point

of Lake Ahklen which could be reached by steamer from the mouth of the Yukon. The country between these points is practicable for pack animals with the expenditure of comparatively little labour in constructing a trail. It is probably only a question of time when some better way of reaching the Upper Yukon basin than Chilkoot Pass will be demanded, and the Taku route is, so far as yet known, the least objectionable.

"We reached Lake Ahklen 16th June, setting up the two portable canvas canoes which had been packed in from the coast, and continued our journey towards the north-west, down Lake Ahklen and Teslin River, which forms its outlet. The Lewis was reached 24th June, and the Selkirk at the junction of the Lewis and Pelly four days later."

Mr. Gouverau, a surveyor in the employ of the British Columbia Government, reports on this route as follows:—

"This route is certainly the best to reach Teslin Lake, one of the sources of the Yukon River. The country is partially open, and not mountainous. By following Nah-Kina River to Katunc Creek, and along this 4 or 5 miles, then striking north-east over a low range of mountains, forming an undulating country where generally the snow lies only $1\frac{1}{2}$ to 2 feet deep in winter, and the grazing is good in the summer, the route would be easy. The Taku River opens at the end of April or the beginning of May, and freezes over at the beginning of November, or sometimes later. A trail built from Nah-Kina Junction to Teslin Lake could be kept open for horses five or six months during the year.

"The country traversed is generally dry, few swamps being met with."

Dr. Dawson also makes mention of this route, in Report, Part (B), Annual Report, 1887, p. 154, "B."

By this route all the bad water on the Lewis-Pelly-Yukon would be avoided. It might be well worth a thorough exploration and survey. See Dawson's Report, 1887, p. 19, "B."

What the miners require and complain of not having is a comparatively easy route by which they can get in their supplies at a reasonable cost in quantities sufficient to last them a year.

At present their supplies are limited to what they can pack in. When these are used up they have to pay the exorbitant prices charged by the traders, and which are far in advance of a fair profit. It takes what a man makes to keep him, and very few have enough to get out of the country except at the cost of much suffering, hardship, and danger. This refers to men coming in and going out in one season.

Tramways on the portages between Lakes Linderman and Bennet at the Cañon and White Horse would be a great help to small parties, as they are not able to portage their boats alone, and may not have experience to run the Cañon or swift water below. The cost would not be great. The miners are of opinion that the rocks in the channel of the Five Fingers could be removed in winter when the water is low. This would make navigation safe for a steamer *coming down*, then there would be uninterrupted navigable water to the foot of the White Horse, a distance of about 2,300 miles from the mouth of the river.

Some of the old miners are not in favour of having the route made too easy, as they say it would bring in a class of men who will not work for their living, but would simply come in to prey on those who do. They refer more particularly to gamblers and men of that stamp, which are so numerous in American districts. This is partly selfish, as miners like to keep good things to themselves.

Timber.

The timber is small and scrubby; the best of it is on the islands in the river. Few trees will square more than 10 inches. Travelling down the river it was impossible to form any idea as to the amount. To form a correct one would require time and a special survey. Judging from what I saw going down the river, I should say that it had no commercial value outside of house-logs, firewood, and for use in mining operations.

I am told that the timber in the Stewart River is longer and of much better quality. There are two small saw-mills in the country, one at Sixty Mile Creek and one at Gudahy. Portable 10 to 12 horse-power engines, the whole outfit, with saws, traveller, &c., from 800 to 1,000 dollars. They are chiefly used to square logs for house-building and sawing lumber for river boats.

Fisheries.

The principal fish are salmon, the king and what are known locally as the "dog salmon." Owing to the high water and lateness of the season, fish have been very scarce. Parties who last year put up and dried 1,000, this year could only get 300. The Indians are much troubled about the scarcity. I am told that white fish have been caught at the Sixty Mile Creek. When I was at Fort Cudahy a 12-lb. white fish was brought to the hotel.

Grayling are also plentiful. Trout are caught of a good size in the lakes by trolling.

The scarcity of fish this season is a serious one for the Indians, as they in a great measure depend on them for their winter food, also for food for their dogs, which are beasts of burden in the country.

Weather.

The seasons here are extremes. In the winter the cold has reached 77 degrees below zero; the heat as high as 120 degrees, and has been known at Fort Yukon, about 300 miles below Fort Cudahy, to burst the bulb of the thermometer.

Last winter was the coldest known here in many years. The summer is about four months, but miners cannot work more on the average than three. Winter sets in about the middle of October, and spring opens about the middle of May, but this season it did not open up before the beginning of June, it being at least a month late. This summer has been a very wet one, more so than for years past. The average snowfall is about 1 foot, and is dry; no dampness in the air. The climate is healthy. Indians are liable and subject to chest diseases. The whites have no special disease. Rheumatism is very prevalent, owing to great exposure.

Agricultural.

The amount of land fit for cultivation is very limited. Coarse grains and vegetables will grow, but the yield is small and uncertain, and the size also. Potatoes in Fort Cudahy were in blossom when I was there, and radishes were fit for and put on the table.

At Harper's, at Pelly, 240 miles south of here (Cudahy), summer frosts are frequent. The amount of hay along the river and easy of access is small, though of good quality. The soil is usually frozen at a depth of 3 or 4 feet in ordinary situations, in colder ones to about 18 inches of the surface. This layer of frozen soil is from 8 to 10 feet deep in favourable exposures. In gulches and places where the sun cannot get at it, it never thaws. In places where the soil is drained and not covered with moss, which is from 1 to 3 feet in depth, the frozen layer is much further below the surface. I, therefore, have no doubt that in southerly exposures, by draining and deep ploughing, the ground could be reclaimed and made fit for agricultural purposes to some extent, though we cannot look for a self-supporting agricultural district, nor expect any one in the country to subsist by farming alone. Still, the agricultural resources of the country might be much developed by those having the energy, patience, and knowledge to make use of their opportunities, always bearing in mind the difference in the years.

The winter in the Hootalinka, Pelly, and Stewart Rivers districts is less severe, and the summer from a month to six weeks longer.

Fuel.

Wood will be the only fuel used or available for fuel for some time to come. It is ready at hand. In clearing a place to build a cabin the trees cut will furnish the supply for the winter. There is much fallen and dry timber in the woods, especially on the shores both of the mainland and the islands in the river, where in many places the ice moving about in the spring has simply cut it down and laid it up in winrows.

About 5 miles above the Five Fingers, Cormac of Fort Pelly has driven a tunnel

in the bank of the river nearly 60 feet above the water. This he has timbered, and, I am informed, has mined some fair coal, which does well for blacksmiths' use. When at Pelly on my way down I was unable to get a sample of the coal, and could not get any afterwards.

However good the coal may turn out to be, the fuel for some time yet in this country will be wood. Wood is now sold on the river bank at 4 dollars per cord.

I am further informed that there are three places where coal is found in abundance near Fort Cudahy, the furthest distance being about 35 miles south and east, with Cermac's seam about 300 miles south on the Lewis River.

I have got a sample of coal from about 30 miles south of here (Cudahy). This sample was found on the bank of a small stream, and is said to be found in abundance.

Mining.

On the west side of the Yukon the gold-bearing creeks are: Franklin Gulch, Davis Creek, Clinton Creek, Nugget Gulch, O'Brien's Creek, Napoleon Creek, Cañon Creek, and Madison Creek (these are wholly or partly in Alaska); Sixty Mile Creek. Its tributaries are Gold Creek, Glacier Creek and Miller Creek, and Bed Rock Creek. These are the only ones that any mining has been done on, and they also are wholly or in part in Alaska. There is a large difference of opinion as to which side of the line they are on.

Of the rivers and creeks above mentioned, Forty Mile Creek is worked out, Franklin Gulch is about half worked, Nugget Gulch has not been much worked, Davis Creek about half worked, Clinton Creek has not turned out of much value; O'Brien Creek has not been much worked, as it was only this summer that it was discovered; Napoleon Creek has only been worked this season, and has shown up well so far; Cañon Creek has been worked by a few men two seasons, and has paid 12 to 14 dollars per day; Madison Creek is new, worked only one season. Sixty Mile Creek is 120 miles south of Cudahy. About 60 miles of the creek is in the North-West Territories. Gold Creek is good; this is the second season. Miller's Creek is also being worked, and has proved the best creek in the country so far. Glacier Creek has only been opened this season, and so far the returns have been good. Last summer two men worked this creek and made 21 dollars a-day each. They are still working there. These are also in American territory.

The size of the claims as laid down in the Mining Act are considered too small by the miners, who think it should be 500 feet up and down the gulch and from rim to rim in width. The rim in all creeks would not be the same, as in some it might not be more than 50 feet, and in others 1,000 feet. The average would be about 600 feet. What is called the rim is where the bed rock appears above the level of the creek, and runs in width according to the size of it.

The reasons for this size of claim are:—

The most of them have from 3 to 10 feet of moss and decayed matter, which is, with the exception of the moss, always frozen, and in order to get this off water must be got on top, and 100 feet will not give a man sufficient grade to do so, and for this reason the extra 400 feet are required. It also takes two seasons to get a start on the work. Even then the miners say that 500 feet is not enough in all cases, but consider it a fair amount all around.

Bar diggings are not permanent, as the bars are continually shifting, especially Stewart River. Any work that is done in winter has to be by the aid of fire. In the gulches during the past two years considerable of this sort of work has been done by those who have remained in the gulches during the winter.

On the east side of the Yukon the Stewart, Pelly, Hootalinka, Big and Little Salmon are wholly in the North-West Territories.

The Stewart is all bar digging up to the present, and so far has proved to be best paying. The Pelly is doubtful at present. Hootalinka has done fairly well, and much is expected from it in the future. Both on the Stewart and Pelly many men have been working this summer.

The Big and Little Salmon have also paid well to the few who have been working. These are all bar diggings.

One reason why more men are not at work on these rivers is the difficulty of getting in provisions.

The miners as a rule have faith in the future of the country, not that gold is in

any one place in large quantities, but appears to be all through it, and that it only requires exploring and opening up.

From the time one leaves Juneau to Point Barrow the country is full of mineral wealth, chiefly gold, but there is also silver and copper to be found.

At present the mining industry is only in its infancy. The country has not been thoroughly prospected for reasons already given, and up to the present the returns may be summed up, that a few have done well, a few made good wages, but the majority have made only a living, partly owing to not knowing much about mining, and the short season. As far as I can learn, the output last year was about 300,000 dollars from all sources.

The miners are anxious that the boundary in the gold-bearing belt should be fixed without delay.

No quartz mines have been opened up for two reasons; they are:—

1. It requires capital and time, the depth of moss being the great drawback to prospecting.

2. There are no immediate returns, as in the placer or bar mining, which is necessary for the existence of the miner, as none have more than will get them into the country and buy a little coarse food to go on with during the first season. If they make a little then it is required to keep them during the long and cold winter.

The traders will give them food for the summer's work, and, as the miners are as a rule honest, in the long run those who supply them are paid, with a large amount of interest as well.

Some coarse gold is found on Miller Creek, Franklin and Davis Creek, and Nugget Gulch, but on the bars it is fine. Only one large nugget has been found, and that in Franklin Gulch. Its weight was 30 oz., and intrinsic value 510 dollars.

Quartz mining will in time be the leading class of mining in this country. The face of the country as far as the Arctic Ocean and Mackenzie is entirely mountainous, and may be compared with the teeth of a saw. It is mineralized through. Ledges have been found and specimens brought in and analyzed with very good results. It commences at the boundary and goes through the country in all directions. Gold and silver quartz have been found on Bennet Lake, and which, in silver, is especially rich; I am informed that rich specimens of gold and silver rock have been found on the Hootalinka. There are rich mines on the Porcupine, but I was unable to learn on which side of the line they were situated.

Indian Creek, about 75 miles above Forty Mile, has just been found rich. This creek is wholly in the North-West Territories.

A meeting of the miners was called at Forty Mile Creek to petition the Minister of the Interior to have the Mining Laws changed so as to increase the size of placer claims to 500 feet in width, with a free location to the discoverer, and a second claim for the discovery. This in my opinion is unreasonable; the second claim would be for speculative purposes only.

I think the case would be met by having the size of the claim changed to 500 feet in the Yukon district—from 100 to 500 feet; the fee at the same time being raised from 5 dollars to 15 dollars on gulch claims. Bench, or high bar diggings: the low bar to remain as at present.

Trading Posts.

At Forty Mile, McQuestion and Co. are the traders, and usually have a good supply of miners' supplies on hand. The goods are chiefly food and rough clothing, which are sent them by the Alaska Commercial Company. At Fort Cudahy, 1 mile lower down the Yukon, and north of Forty Mile, the North American Trading and Transportation Company have a store. The class of goods sold by them are the same as by McQuestion and Co.

The goods for this first-mentioned establishment are supplied by the San Francisco Company, for whom they act as agents selling on commission. Mr. Harper, who I am informed is the local Manager for the San Francisco Company, has a trading post 20 miles below Stewart River, opposite Sixty Mile Creek, and one at Pelly.

I am informed that Mr. Healy is about to open at Stewart River and Pelly this fall.

A post at the junction of the Hootalinka and Lewis River would be a great boon to the miner on the upper part of the river.

Prices are high, if not in some cases exorbitant.

Liquor Traffic.

The liquor traffic in the country is assuming large proportions, and will have to be dealt with by a strong hand, and a sufficient force will be necessary to enforce the provisions of the law. The country at present is ruled by a "Whiskey Ring," of which I am told McQuestion and Co. are at the head. At present there are five saloons running, and I hear more will be open as the miners come in for the winter.

The liquor sold to the whites is of good quality, and retails at 50 cents a drink. It comes in principally from Fort Simpson, on the coast, is packed over the "Summit," and brought down the river in boats. I hear 3,000 gallons have come in during the year just past.

The Indians make out of molasses, sugar, and dried fruit a liquor locally known as "hoo-chin-oo," and is very like the liquor made at the Cape and styled "Cape smoke." It is very strong, more like pure alcohol, both in appearance and taste.

So far as my information goes, miners would like to see a high licence and a stop put to the sale of liquor to Indians. Prohibition would be very hard to enforce, if not almost impossible, owing to the nature of the country, with its facilities for hiding liquor and illicit stills in the many ravines and gulches which Indians could only find and travel to.

The Prohibitory Law in Alaska is in reality a dead letter.

In Juneau liquor is sold openly, and no real attempt, so far as I could learn, is made to enforce the law there. Some difficulty might arise in the working of the present Liquor Law of the North-West Territories, and special legislation might be required to suit the situation. I refer more particularly to the machinery for the granting of licences, as the Inspector or the Commissioners would necessarily be men of extreme views either way, and would suggest, should it be determined to grant them, that it be left in the hands of the police if it is decided to send them into that country.

Many of the miners do not drink at all, and but few to excess, and those who do would, wherever they are. When they come in from the mines for the winter, they have a general carouse, but this is not confined to that section of the country alone. After this has been gone through, the camp settles down for a time, and is then quiet for a mining camp in winter.

Government of the District.

The following is an expression of opinion from Bishop Bompas:—

"The miners appear anxious to maintain good order, and have hitherto arranged in their meetings all matters of mining claims and building lots. The Indians are quite peaceable and trustworthy. If any disturbance occurs it will be only by some white man making an attack on an Indian, but the Indians, seeing the danger of this, do not seem now inclined to drink with the whites as at first. Magistrates, police, and gaol are urgently called for."

The Bishop goes on to say:—

"It does not seem needful to enforce in this district the disuse of rifle ammunition among the Indians. Any idea of war or rebellion appears to be quite unknown among them, and would be put down by the miners with a high hand. They have already hung one Indian on the Lower Yukon (American territory) for the murder of a white.

"Rifles are chiefly used by the Indians in hunting the moose and other deer, by which they obtain food for themselves and for sale to the whites. This is the only fresh meat procurable in that district.

"If the Government check the use of rifles by the Indians it would seem needful for them to provide the Indians here with Hudson's Bay Company's shot-guns for hunting. These the Indians desire, but cannot obtain them on this side, and it is hard to get other than rifles from the American side."

Mail Service.

At present there is only one mail in the year that can be relied on, that which comes in by the Commercial Company's steamer. Any other letters that are brought

in come by miners or others who may happen to think of them before leaving Juneau or Dia-Yah.

In the ordinary course of the present mail service, or rather want of mail service, a letter written in Eastern Canada later than May would not arrive at Forty Mile until the following May, and no answer would be received for another year.

A mail route could, it is thought, be established either by way of the Hootalinka River or the "Summit," to or from Juneau, where it could be shipped to Victoria or the nearest port as freight, if postal arrangements are such that it could not be sent to Juneau from the United States' Post Office.

This is a matter that requires careful consideration, both from its bearing in opening up the country and on the score of expense. Any mail should be confined to letters only, as the expense of papers or parcels would not be warranted by the rate of postage.

There are two routes that would be available for early spring and late fall, viz. :—

1. By way of portage and Upper Yukon for letters only.
2. The summer could be viâ St. Michael's and Lower Yukon.

By this route, which is available only during the months of July, August, and September, this mail could carry papers and small parcels, and could be posted for Yukon at Victoria, and marked "viâ boat." This would get four mails in and five out during the year, and should, I think, be performed for 5,000 or 6,000 dollars a-year.

The mail by the mouth of the river should be sent viâ Victoria, and not later than from the 1st to the 15th June. The second not later than the 1st August.

The mail coming in over the range should leave Victoria about the 1st May and 1st September. A special messenger would have to bring the mail from Victoria to Fort Cudahy viâ the range, or personal effects on American boats and through American territory. This would be included in contract price.

Schools.

With the exception of the schools at the Church of England Mission there are none in the district, and these are attended mostly by Indian or half-breed children, with the exception of perhaps three or four whites at Forty Mile.

The Mission schools are three in number, viz., Buxton Mission school at Cudahy, one at Pelly, and one at Rampart House, near the mouth of the Porcupine River. The average attendance at the three schools is, I am informed, about sixty per day, the attendance being higher or diminished as the Indians are at the Settlement or out fishing or hunting.

These schools are kept up by generosity of friends in England, and are purely voluntary.

The children are stated to be as intelligent as white ones of the same age, but when out a short time their memories soon fail.

It is estimated that the cost of keeping an Indian child at school is 100 dollars a-year. This is for food only; another 20 dollars is required for clothing.

Bishop Bompas, in connection with grants for schools for the benefit of the Indians, says :—

"The American Government are liberal in regard to education of Indians in Alaska, and 30,000 dollars is granted annually to Missions for this purpose, under the superintendence of Dr. Sheldon Jackson, as Education Agent. The English Missions on the British side, being at present without Government education grant, can hardly compete with the American schools. A Government allowance of, say, 2,000 dollars for the Indian schools in connection with the English Missions would be very acceptable."

Many of the respectable miners would bring in their families if schools were established, or if they would be within a reasonable time. At present there are about eight white children of school age.

It appears to be the desire that a school should be established, and the North American Trading and Transportation Company, through Mrs. Healy, wife of the Manager, said they would board a female teacher free for a time.

It is doubtful what view the Bishop would take of such a school that would interfere in a measure with his, but I think he would assist, and probably would take an interest in the work.

Indians.

From the best information obtainable, the number of Indians and Eskimo on the Arctic coast, Pelly and Yukon Rivers, in British possession, or under their influence, are about 5,000 all told.

It is very difficult to get reliable figures owing to the roving about of the different bands, but this number may be taken as fairly approximate.

They are a lazy, shiftless lot, and are contended to hang around the mining camps. They suffer much from chest trouble, and die young.

In 1865 scarlet fever was epidemic on the Yukon River. The fever was communicated to the Chilkoot Indians, and from them it spread to the Indians on the Upper Yukon, and passed on by them down the river to the entrance of the No-to-ki-kat or Doll River, where they all died, and the disease spent. This appears to have been the only epidemic that has appeared.

The Indians inhabiting the shores of the river live principally on salmon during the winter, and when there is a failure of this fish, as there was this season, are in danger of want. This should not be the case if they showed a little energy, as if they went back from the river a few miles large game is plentiful.

On Monday, the 13th August, 1894, I had a meeting with the Indians, who, through the kindness of Bishop Bompas, had been asked to meet me for a talk, the Bishop being present, and was good enough to act as interpreter between us. The following is Chief Charlie's speech:—

"I am quite happy and contented, and would like to see the English come and take care of the country. I like the English better than the Americans. There are plenty of furs in this country, and I would like the English traders (meaning the Hudson's Bay Company) to come and trade with us because the goods are better, and they deal more fairly with us.

"The white men kill our dogs, but think it is only done when they catch them eating their goods. I am sorry to hear the minister (the Bishop) is leaving us, but would have my sorrow lessened by knowing the English were coming to look after matters, as he believes the white men tell lies about the dogs doing so much damage.

"We have got very few fish this season owing to the high water and lateness of the season.

"I have drunk whiskey myself, but I do not take it every day. It makes me sick.

"I am sorry my country is 100 miles down the river, but I do my trading here. I look upon this as my country, as I trade here."

Benjamin, a Headman who lives at Forty Mile, spoke as follows:—

"There are very few of the Indians here. I am leaving myself shortly, and others with me, because the white men kill our dogs. They will then be sorry, as they will not then have any one to get them fresh meat. The Hudson's Bay Company used to give us tea, tobacco, and shot for nothing; the traders here will not do so, but make us pay for them."

The answer to this was if they took more care of their dogs there would not be so much trouble about them. That white men knew the value of these dogs in the country, but had to protect their property, and that the owners of the dogs should help them to do so, so far as they were able by tying them up, but from what had come under my notice on the way down did not do so, but had shared with the dogs what they had stolen from the boats.

They were also cautioned about drinking whiskey, and that the Chiefs as men in authority should set a good example to the others by not drinking it, and especially by doing all in their power to prevent the making of it, as it would surely get the Indians into trouble if they persisted in doing so.

The Indians met along the river appeared to be of a very low order of intelligence, and are scattered along the river from the foot of Lake La Barge to Forty Mile, camping chiefly at the mouths of the smaller streams flowing into the Lewis and Pelly Yukon, and are engaged in salmon-fishing. Those met at the foot of Lake La Barge were the cleanest and most intelligent. One of the first questions asked by them was if we had any whiskey.

Many of the Indians at Forty Mile are American Indians, and are living there for what they can get from the miners.

Furs.

Furs are fairly plentiful. The black, silver, and cross fox seem to come in in larger proportions than others, and their value would I think equal, if not exceed, that of all the others. The red fox is common, and on the coast the blue and white. Marten and sable are numerous, also bear, black, brown, and grizzly.

From what I can learn, the value of furs exported during the year would be between 40,000 and 50,000 dollars.

A few otters are got.

Beaver seem to be scarce.

Game.

Along the river game is scarce, no doubt on account of the number of persons going down who shoot at anything alive.

Eight or ten miles back I am told it is quite plentiful, and that vast herds of cariboo are found in the uplands. Moose are plentiful farther back, and the meat is sold to the whites at 10 cents per lb., the hunting being chiefly done by the Indians, who with their usual improvidence kill all they can. Should the country fill up with whites in a short time, the moose would be exterminated.

Feathered game is fairly abundant. A few hares are found, but they appear to be few.

The "big horn" is found among the high mountains, some distance back, also the mountain goat. They are seldom seen from the river. The prospectors report them numerous in certain localities.

The ravens seem to be the most numerous of birds along the river; a few whiskey jacks, an eagle or two, were seen.

Nationalities.

The white population is composed of Americans and Canadians, about equally divided. Quite a number of French Canadians are working and doing well. There are also a few English in the mines.

One Arab is working at Glacier Creek.

One Armenian at Davis, and two at Birch, Creek.

One Greek at the Glacier, and one Chilean at Davis.

All appear to get on well together.

The labour troubles in the United States have sent many men in from there; some of the men coming in having their wives and families.

Up to the 1st July, 535 souls had passed Dia-Yah for the Yukon district. Of these, nearly all came through. A few went back from, or after leaving, Dia-Yah, frightened with the outlook. Two or three from the Cañon, or White Horse. Some went out by the mouth of the river after being at Forty Mile a day or two. Most of the miners going out this fall are going by the mouth of the river, for, tough and hardy as they are, dread the hardship of going out by the Mountain Pass.

In the spring of 1894 some Japanese and Chinese arrived at Dia-Yah, with the intention of going into the interior. A party of whites, numbering about 200, hearing of their landing, held a meeting, and it was decided that they were not to be allowed to enter the country. A party representing the miners went back until they met these strangers near the Cañon, and told them that they would not be allowed to go into the country, and if they value their lives they would not make the attempt. The foreigners took the hint and returned. This shows the feeling there as regards the Chinese in this section of the country.

This occurred in American territory.

Open Land or Flats.

These are not numerous or large in this district.

A few miles down Lake La Brayge, as seen from the boat, there appears to be a valley of some considerable extent, with a small stream flowing through it. On the

west side of the lake, near the lower end, quite a large level plain appears. Ogilvie's Valley appears to be wide and deep, but as I only saw this from a distance, no definite estimate could be formed of its extent, or agricultural capabilities, or the size or quality of any timber growing there.

At Fort Pelly (old Fort Selkirk), on the west bank of the river, is a large flat tract of land. The soil is gravelly, and, except in the immediate vicinity of the post, is covered with timber.

At White River there is a large flat, timbered and covered with moss, which prevents the sun having any action on the frost in the ground. The soil is poor.

At Stewart River, and the site of Fort Reliance, there are a considerable number of flats, but whether they are of any value for farming purposes or not I cannot say, and probably the same remarks are applicable to them as the others.

At Forty Mile there is a flat of 500 or 600 acres.

Only hardy roots will grow, and of them the crop is uncertain. At this date, 19th August, potatoes are only in blossom.

The country is, indeed, very desolate and inhospitable. The Yukon district has been up to the present time a sort of "no man's" land, the boundary between Alaska and the North-West Territories not having been defined or officially declared. Law and order in the country has been enforced by a Committee of miners, and, with the exception of one shooting and cutting case last winter, has been quiet and orderly as much as in other portions of the North-West Territories.

In the case of shooting and cutting mentioned the parties implicated were both drunk. The miners took the matter up, and gave the principals to understand that they would be ordered out of the country if any further trouble took place between them, and the one who did the shooting, that if the man he shot died, they would hang him. Since then things have been quiet. This is the case on which so much stress has been laid by certain parties here. One of the parties is living in town, and the other at Davis Creek, in Alaska.

For a mining camp the place is very quiet. In the fall, when the miners come in, there is a general carouse, accompanied with the firing of pistols and guns.

A woman is treated with more respect here by the miners than she would be in an eastern town by those who are supposed to be far above them, morally and socially. During the four weeks I saw but one drunken miner. On the other hand, the men have not yet come in in any numbers from the diggings.

Gambling appears to be the principal amusement during the long winter, and many lost all the proceeds of the summer work in a night or two. There are no regular gambling-houses, it being done in the different cabins as chance may bring them together, and in the saloons. The miners are very jealous of what they consider their rights, and from what I could see and learn, any enforcement of the different laws will have to be backed up with strong force, at least for a time.

Last winter about 260 miners wintered at Cudahy, and this winter about 500 are expected. It is during this time that any police will have their work to do. Smaller ramps may be built at Sixty Mile and Pelly posts, as these places are the depôts for that section of the country; the former being 100 miles and the latter 220 miles up the river from Forty Mile. During the summer a detachment will be necessary at either Sixty Mile or Pelly. The last-named would, I think, be the best place, as it is close to the Pelly River, about 187 miles from the Hootalinka River, where it is most likely that a large number will work next season, and about 100 miles from the Stewart.

Composition of Detachment.

The force sent in, if any, should consist of two officers, one surgeon, three sergeants (one to act as sergeant-major), three corporals, and thirty-five or forty constables.

This may appear a large number of men at first sight, but from the country and the work they will have to do is not more than sufficient. They should be of not less than two years' service, and from 22 to 30 years of age, of large and powerful build, men who do not drink.

It is to be remembered that they are alone in a country, to all intents and purposes shut out from the outer world for eight months in the year. That it takes two months to get any word out, and nearly the same to get any in. During ten months they are left to their resources, having entirely to depend on themselves in an emergency.

Getting into the Country.

The route by the Chilkoot Pass down the Lewis, Pelly, and Yukon is not fit for a large body of men to come through. The cost of packing supplies alone for the trip would be great.

It appears to me that the cheapest and most expeditious way of getting to Cudahy would be to use a Government steamer or a chartered one from the port of Victoria, British Columbia, to St. Michael's, and to arrange with one of the local trading Companies to transport them up the river by one or more of their river boats, thus being able to get there early in the season by arrangement perfected this fall or winter.

In this case, the ship from Victoria, British Columbia, should leave about the 15th June, thus arriving at St. Michael's from the 1st to 4th July, before which time no vessel can with safety enter the bay for the blockade of ice.

A rate can be had from the North American Transportation and Trading Company. They will transport the officers and men from Victoria to Forty Mile for 100 dollars each; this included everything. The same Company will transport freight between the same points for 85 or 90 dollars per ton of 2,000 lbs.

Means of getting about the Country.

The highways of the country are the rivers, and all travelling is done in boats, upstream work is done by poling, which even to the most practised is hard and exhausting work, 20 miles a-day being considered a good day's work, although 25 miles is sometimes made, according to the part of the river travelled. From Fort Cudahy is the hardest part of the river.

What is required, and without which we should be useless, is a high-power, flat-bottomed, stern-wheel steamer, say, about 40 feet long and 12 feet beam, with deck well projecting over the hull. One capable of 15 miles an hour, in still water, not drawing more than 12 to 18 inches when loaded.

The capstan should be capable of being worked by steam, as it would be required to work up some to the rivers, notably the "Five Fingers" rapids.

Such a boat would not require cabins or upper works other than an awning, men on the trip camping on the shore for the night.

Such a boat could be got ready in the east during the winter, sent to St. Michael's, 80 miles from the mouth of the Yukon, and might be put together there and go up the river loaded, or, if built, could be carried on deck of ship. A couple of small boats would also be required, but these could be made at Cudahy by an ordinary carpenter.

Buildings.

The building of barracks and the necessary offices would consume the greater part of the open season after the arrival of the men. The ground to be cleared, and moss to be gathered and dried for putting between the logs, logs which can only be got by going up the rivers from about 10 to 40 miles. The best ones procurable are about 40 miles up and are on the islands. They are from 20 to 50 feet long, and will be at the butt from 12 to 14 inches and at the small end 6 to 8 inches. These would have to be rafted down, hauled out of the water, and hewn or sawn on one side.

A portable saw-mill of about 10-horse power, with a 36-inch saw, would be most useful, if not almost necessary. It would do the work of hauling logs out of the river, as well as cut the fire-wood, which is no small quantity in the country, for the winter's use, and for sawing such rough lumber required for the quarters.

The roofs are made of heavy coarse lumber (or slabs?). These covered with earth and moss for a depth of about a foot or 16 inches.

Clothing.

Owing to the severity of the climate, extra clothing, both in warmth and quantity, will be needed, also a good supply to issue on repayment, beside the regular annual issues.

The following I would suggest for summer wear:—

Duck trousers, lined, with plenty of pockets. A jacket something after the Norfolk pattern, lined with flannel. Cow-boy hat. A slicker. Gum boots to thigh, and native water boots, also ordinary ammunition boots.

For winter, dress of the country, and special fur cap. Snow shoes should also be kept in stores, native pattern. They cost from 2 to 7 dollars per pair.

A "parka" or dress of the country is brought down. The price for a quantity is about 12 dollars each. I have also brought the foot-wear used.

Extra blankets should be issued.

It would be well also to provide some sort of single mattress; hay to stuff paillasses cannot be got, and the moss of the country either gets hard and lumpy or falls into dust. Bedsteads could be made here, if the saw-mill already mentioned is sent. Any lumber that can be got here is worth about 150 dollars per m.

Rations and Reserve of Food.

The rations supplied should be of the best and freshest of the kind. The food is at the best coarse. Few, if any, luxuries are to be had, bacon, beans, and flour being the staples. Potatoes or onions, except in very small quantities and very large prices, are not to be had. Desiccated vegetables issued two or three times a-week would benefit the men. A liberal scale of diet is necessary, with as many changes as is possible to give.

I would suggest that, if men are sent in by chartered vessel, a reserve supply for at least six months should also be sent. These could be stored for two winters and then issued, a fresh supply being sent in the third season. Should any disaster happen to the vessel or vessels of the Companies trading in the district, it would be a very serious matter, and want and suffering, perhaps starvation, would occur, as it has done before, I believe, once in the history of the country some four years ago.

The following articles of barrack furniture should be sent in by the same boat:—

Stoves, cooking, No. 6, including extra size for mess; No. 9 for others.

Pipes and elbows, 7-inch extra heavy iron. Thimbles and wire. Set carpenters' tools.

Blacksmiths' portable forge, anvil, and tools.

Books for library for men, games, &c.

Billiard table, if possible.

Nails, assorted sizes.

Screws, assorted sizes.

Round iron and band iron.

Pumps, three—one large force, two hand, with hose and some lead pipe.

Large boiler for bath-room. Window-sashes, putty, and glass. Double windows.

Ammunition, &c.

A reserve supply of ammunition would be needed, say, 1,000 rounds carbine per man.

500 rounds of pistol per man.

Waterproof carbine covers should be issued. It might be that the present pattern of cover might be covered with some waterproof preparation.

The present style of pistol holster is not suited for duty here. The wet and cold would seriously interfere with the working of the flap. The cow-boy holster, open at the top, appears to be the handiest.

Extra Pay (Working) for Men.

As the first season will be taken up getting ready for winter, and the work of getting so will have to be done chiefly, if not altogether, by the men themselves, for this reason a few carpenters, a blacksmith, and a couple of engineers should be among these sent in. Wages are very high here, ranging from 6 to 10 dollars per day, according to the season and kind of work, and amount to be done.

Arrangements should be made whereby the present rate of working pay might as special be increased to 1 dollar and 1 dol. 50 c. for skilled artizans. This, with the rate of regular pay, should stimulate and content the men, and under the special circumstances would not be too much for the work to be done.

Forty Mile Camp, St. John's Mission, and Fort Cudahy.

The mining camp of Forty Mile is situated at the confluence of the Yukon River and the Forty Mile Creek. It is so called from the supposed distance from Old Fort Reliance, though it is, in fact, about 45 miles from the site of that post.

The village or camp consists of about 150 log cabins, of an average size of 20 by 24 feet. There are about half-a-dozen fair-sized houses, two or three being two stories high. McQuestion and Co. have built a large warehouse. All the buildings are log. The cabins are either built by the miners or for them. Some of the logs used in the construction are squared, others round and barked. All logs should be barked, as a certain insect then will not deposit its eggs in them, and a harsh grating noise, very much like the working of a saw, will not be an annoyance. When building the usual plan is to cut a trench through the moss, lay as large a log as can be procured in the bottom, then a layer of moss, a second log, and so on till the desired height is reached. The roof is made by putting slabs or poles over strong beams, cover them with 8, 10, or 12 inches of moss, on this again as much earth as can be conveniently procured, usually about 8 or 10 inches. This soil dries out and is used for growing vegetables on, such as turnips and radishes; in any case they are covered with a growth of some sort of weeds.

The flat on which the camp is built contains about 700 or 800 acres, and is divided from the mainland by a ravine, which, during the period of high water, is a fair-sized river. The place was flooded this spring to a depth of about 4 feet.

The highest land is between the camp and the Mission. This was dry last spring, although the water was the highest known for years.

The people living in the place have this summer built a bridge across this ravine, the banks of which are between 30 and 40 feet high. As soon as the winter sets in it will be taken down to save it from the ice next spring.

St. John's Mission is on an island of about 5 or 6 acres, and on it are erected the buildings occupied by the Bishop as dwelling-house, and the school-buildings. The large school-room is used as a church on Sundays. The Indian village is on this island.

The Mission buildings are the first that you come to on the way down the river.

Fort Cudahy is about a mile lower down the river to the north, and north of Forty Mile Creek. The land here is higher, but not so wide. The flat ends at the north at an abrupt rock which rises almost perpendicularly from the river to a height of about 800 feet. The flat at Fort Cudahy is not as wide as that at Forty Mile. There are twelve cabins on this flat, besides the store and store-houses of the North American Transportation and Trading Company.

Rugged hills form the background, these are covered with small timber. The River (Yukon) opposite Fort Cudahy is nearly 800 yards wide at low water. The current runs between 4 and 5 miles an hour.

Customs.

Customs duties were distasteful, and at one time there looked as if there might be trouble in collecting. Better counsels, however, prevailed, and I brought out with me cheques, drafts, and orders amounting to 3,248 dol. 82 c. Neither the coin nor gold dust was procurable, as all in the Settlement to any amount had been sent east by the first boats. As these drafts, &c., will be honoured on presentation it is perhaps the safer way to bring it out.

Staff-Sergeant Brown remained in this winter in order to wind up the remainder of this part of the duty; he should collect between 2,000 and 3,000 dollars more. What I got in some cases was on account of the duties, as all the goods were not in, nor the original invoices up from St. Michael's, but it is said would be when the boats came up on the last trip. They should arrive at Forty Mile about the end of the first week in October at the latest.

The American Customs were giving all the trouble they could to the North American Transportation and Trading Company, on account of their buying many of their goods in Canada, putting an Inspector in charge of the goods as far as the boundary, 35 miles north of Fort Cudahy, and insisting on the Company giving security for the Customs officer's expenses until such time as he would arrive at the place from which he was sent.

It was also stated, on the authority of a man named Goldsmith, that the agent of the Alaska Commercial Company at St. Michael's, Mr. Wilson, had orders to prevent any English or Canadian vessel unloading any goods at that place, although the North American Company had a warehouse there. It is said that the Alaska Commercial Company keep a paid lobbyist at Washington, of the name of Elliott, to throw all obstacles in the way of any other Company getting a foothold in the Yukon territory, and this appears to be borne out by the fact that the orders in this case come direct from Washington.

Besides the amount already mentioned as having been collected for customs, I have collected, on account of the Department of the Interior, the sum of 485 dollars.

I desire to acknowledge the courteous treatment received from Captain M. A. Healy, of the United States' revenue-cutter "Bear," in giving me a passage from St. Michael's to Ounalaska; to Captain E. H. Blair, of Her Majesty's ship "Pheasant," for his kindness in bringing me from Ounalaska to Victoria. Through the courtesy of these officers I was enabled to make the passage home fully a month earlier than I otherwise would have done, as the regular steamer would not have left St. Michael's until about the 1st October, and, going through to San Francisco, would have obliged me to travel some 1,500 miles further, *i.e.*, the distance from Victoria to San Francisco and return.

I also beg to bring before your notice the great assistance rendered me by Regimental No. 1694, Staff-Sergeant Charles Brown, of B Division North-West Mounted Police. His energy and knowledge of boat work were very valuable on such a trip as we had. I hope he will be rewarded. He is a good man in every way.

When I left Fort Cudahy Staff-Sergeant Brown was on duty at Fort Selkirk in matters relating to customs. I left instructions for him to be at St. Michael's by first boat in the spring, where he would receive instructions as to his further movements.

A copy of my diary is attached; also rough maps and a plan of Forty Mile and Fort Cudahy, together with a Meteorological Return for the years 1892 and 1893.

I have, &c.

(Signed) C. CONSTANTINE, *Inspector.*

The Hon. W. B. Ives,
President of the Privy Council, Ottawa.

Inclosure 3 in No. 12.

Copy of a Diary from May 20 to October 8, 1894.

Sunday, May 20, 1894.—Left for Ottawa at 6:10 A.M., and Winnipeg at 6:20 P.M.

Monday, May 21.—Arrived at Fort William. Raining.

Tuesday, May 22.—On road.

Wednesday, May 23.—Arrived in Ottawa at 4:12 A.M. Went to see Mr. F. White, who went with me to see the different Ministers, &c. Wrote Staff-Sergeant Brown. Arranged with Comptroller about allowances, &c.

Thursday, May 24.—At Mr. White's office all morning.

Friday, May 25.—At work at different matters during the day.

Saturday, May 26.—To meet Mr. Watters at 2 P.M., and Mr. Burgess at 9:30 A.M. Met both parties. Left for Chicago at 10:30. Received 200 dollars from F. White. Esq.

Sunday, May 27.—Arrived in Chicago at 10:30.

Monday, May 28.—In Chicago. Went to see Hamilton, but he had left for Seattle. Saw P. B. Weare, President of the Company. He wrote and wired Hamilton to meet me on the 11th at Victoria. Met John Cudahy, one of the members of the

Company, after whom fort is named. Left for St. Paul at 10:30. Wrote Mr. White. Saw Chicago Police *re* Campbell.

Tuesday, May 29.—Arrived at St. Paul at 12:50. Had to wait over for train till 6:30, and then left for Winnipeg.

Wednesday, May 30.—Arrived in Winnipeg at 3:40. Saw Mr. Scarth and Archibald.

Thursday, May 31.—Left at 10:30 A.M. for Regina, and arrived there at 2:55 A.M. 1st. Superintendent Perry arrived from Wood Mountain.

Friday, June 1.—Went up to barracks at 9:30 A.M. Saw the Commissioner and Superintendent Perry. Got away at 11:35, and arrived at Moosomin at 7 P.M. Arranged detachments: Staff-Sergeant Fyffe to Moosomin, Sergeant Dee to Qu'Appelle, Sergeant Doyle to Broadview.*

Monday, June 4.—Swore in Constable Snoddy on re-engagement for three years. Received letters and maps from Ottawa. Paid freight on two packages from Ottawa, 5 dol. 25 c., by requisition. Received advice that Staff-Sergeant Fyffe was coming to Moosomin for duty to-morrow.

Tuesday, June 5.—Getting ready to leave. Reduced Sergeant Doyle to Corporal.

Wednesday, June 6.—Left Moosomin for Victoria at 7:50 *en route* for Yukon. Received wire at Broadview from F. White, Esq. Made copy and sent it with letter to Commissioner. Staff-Sergeant Brown joined me at Broadview. Told Staff-Sergeant Fyffe at Qu'Appelle to write police authorities at Glasgow, as I heard D. Campbell, wanted for forgery and embezzlement at Whitewood, had gone over there in a cattle ship.

Thursday, June 7.—On train. Very hot. Wired to Comptroller from Swift Current.

Friday, June 8.—Arrived at Calgary 2 A.M. Wired C. H. Hamilton and agent of "City of Topeka."

Saturday, June 9.—Still at Calgary. No train.

Sunday, June 10.—Still at Calgary. No train.

Monday, June 11.—Calgary. No train.

Tuesday, June 12.—Chance of getting out to-night.

Wednesday, June 13.—Left for West at 3 A.M. Water had played havoc at Anthracite. Buildings swept away and bridges gone. Arrived at Golden at 6:45 and made transfer. Bridge gone.

Thursday, June 14.—Left for Glacier at 3 A.M., and arrived at 7 A.M., remaining all day.

Friday, June 15.—Made transfer at Revelstoke, and left for Kamloops.

Saturday, June 16.—Left Kamloops at 7:35. Left Ashcroft at 10:50. Arrived in Hope and remained all night.

Sunday, June 17.—Transferred to steam-ship "Irvine" and went down Fraser River as far as New Westminster from Katz, landing 4 miles below Hope. Took train at New Westminster for Vancouver, thence by schooner "Premier" to Victoria, arriving 11:30.

Monday, June 18.—Notified Campbell and Commissioner of arrival; wired Hamilton to same effect.

Tuesday, June 19.—Called on Lieutenant-Governor Dewdney, who took me to see Gore, who is Deputy Minister of Public Works. Gave me Gameraues' Report. Wired Mr. White *re* funds; got answer: 1,000 dollars at Bank of Montreal. Drew 100 dollars and secured berths on the "Queen" for Juneau.

Hamilton arrived from Seattle, and told me miners' map was given Walten for use of officer going up.

Wednesday, June 20.—Still waiting and getting information. Got tickets, 50 dollars each (two), ship "Queen." Brown and self in same cabin.

Friday, June 22.—Drew money from bank. Left at 9 P.M., per steam-ship "Queen," for Juneau.

Saturday, June 23.—At sea, running close to islands. Passed steam-ship "City of Topeka" going south at 7 P.M. Went through Queen Charlotte Sound during night.

Sunday, June 24.—Passed village of Bella Bella at 9 A.M.

Monday, June 25.—Cold, wet, and foggy. Arrived at Fort Wrangle at 9 A.M. Small village built on foreshore. Mountains behind covered with spruce, &c. Buildings small and mean; saw-mill the best. Small steamer floating the English flag

* These were afterwards changed owing to Sergeant Doyle being reduced to corporal and sent to Regina.

in harbour. Have to wait here for tide. About 150 or 200 small houses (wooden), two churches shored up with poles. Got Juneau papers of 18th-24th, and sent them to Mr. White.

Tuesday, June 26.—In Taka Bay; full of floating ice, and one large iceberg; very cold. Arrived at Juneau 11:30 A.M. Boat left for Sitka at 4 P.M. Gave order to Decker Brothers for supplies. Wrote Commissioner reporting arrival; also Mr. White. Boat for Chilkoot expected in during night or to-morrow.

Wednesday, June 27.—Cloudy and cold. Supplies put up, and paid for same 63 dollars.* Sent Mr. White package of papers. Boat expected in hourly. Got four miners' maps, published by Still and Anderson, and sent one each to Mr. White and Commissioner. Wrote them reporting arrival. Wolfe, a man cutting ice, drowned at Big Salmon River; boat upset on ice and was carried under; body not recovered.

Thursday, June 28.—Sun out and warm. No boat yet; many waiting for it. Got extra 125 feet towing-line. Want to get off, but can't hurry things. Steam-ship "Chilkat" came into Juneau at 7 P.M. with large cargo. Steam-ship "Thistle," with Ogilvie's survey party, came in; had no opportunity to see him.

Friday, June 29.—Left on steam-ship "Chilkat" at 3 A.M. for Dar Yeo (Chilkoot); nine persons on, going to Forty Mile, including two women and a boy. Arrived at Wilson (Healy's) at 4 P.M. Cost 10 dollars to get selves and goods from steamer; distance about 12 miles.

Saturday, June 30.—At Dar Yeo getting packers and packs made up. Weighed each pack, and gave ticket of weight and amount to each packer; in all 800 lbs. Left at Wilson's box of stationery and other articles. Wilson to send to where ordered. Wrote to Mr. White.

Sunday, July 1.—Left Wilson's (Dar Yeo) at 7 A.M., and went as far as Canyon, camping for night.

Monday, July 2.—Left Canyon, and went as far as Stone House, which is so named from large masses of rock fallen from mountain. Very hard travelling. Indian trail bad, and crosses many streams.

Tuesday, July 3.—Arrived at Lake Linderman at 4:30, leaving Stone House at 4 A.M. Snow most of the distance from Stone House, and heavy walking. Made camp. Very tired. Weather fine. Paid off packers. They left on return about 7 P.M. One Indian, who has a canoe here, remained to take us down lake to Lake Bennet.

Wednesday, July 4.—Raining at 7 A.M. After breakfast Staff-Sergeant Brown left with Indian to bring up canoe. At 3:30 had not returned; day turned out fine. Staff-Sergeant Brown returned at 4 P.M. with Indian, and brought news that canoe could not be found.† Have now to go to work and make a raft if I cannot arrange with two miners camped here.

Thursday, July 5.—Failed to make any arrangement with miners going in about boat. Have to go to work and cut out lumber to build one. Will go on raft to Lake Bennet. Making oars. Weather fine and cool; showers in afternoon. Made pair oars and three poles. No trees here fit to make boards of. Parties here going to prospect on way down. Not going through to Forty Mile. Have to make or buy raft to go to Lake Bennet. Four parties camped here.

Friday, July 6.—Working all morning at raft in water. Start to-night for Lake Bennet when the wind goes down. No lumber here fit for boats. Cold, raining, very miserable. Left camp at head of Linderman at 7 P.M. on raft; went for about three hours, having to camp on account of high wind and waves on lake.‡

Saturday, July 7.—Left camp at 4 A.M., arrived at portage between Lakes Linderman and Bennet at 11:30, got dinner, and walked across portage, should say was about a mile from landing-place. Packed stores to camping-place, and finished about 5 P.M. Got tent up, baked bread, and got supper. Very tired (both).

Sunday, July 8.—Started to get out lumber for boat. Weather fine, with wind. Got on well to-day, ready to saw in morning. Stopped work at 6 P.M.

Monday, July 9.—River rising. Got to work at 7 A.M. Started to cut out boards for boat, a miserable failure. Will try again this afternoon. Brown making knees for boat. I cutting down and hewing trees for boards. Fine and cool. Mended moccasins in the evening. Parties we left at Linderman not yet turned up. It will

* Other articles of outfit afterwards purchased.

† Learned afterwards that Indian knew where canoe was, but was afraid to go out as it was blowing hard.

‡ For the last 2 miles were up to nearly waist in water. Had raft not been well roped, would have gone to pieces.

take us at least another week before the boat is ready. Slow work for two men with no conveniences.

Tuesday, July 10.—Got to work at 7:15 A.M., getting out knees, and finished them, eighteen, and nine cross pieces for bottom of boat. I finished hewing off stick of lumber for boards, and got to saw-pit. Hard work making boat and sawing boards. No sign of parties from Lake Linderman. Weather hot, and flies very bad. Made bread for three days.

Wednesday, July 11.—River rising. Sawing boards till noon, did better than yesterday. Sawed out first lot and got six boards. Two men of one party came as far as here in the skiff and returned, wanted to see river. Flies worse.

Thursday, July 12.—River rising. Very hot, and flies bad. Steamer "P. B. Weare" sails to-day from Seattle to St. Michael's. Gave up attempt to build boat.* Spent three days trying to saw boards, but could not, key of saw having been stolen or lost, most likely the former, also 2-foot rule. Have determined to build raft and float as far as Miles Canyon, and take chances of getting or buying a boat. Got logs out for raft.

Friday, July 13.—River rising. Cold rain and wind. Two miners came along about 11 A.M., will make boat and help us through. Made a bargain. Have to go as far as half-way down Lake Bennet to get timber. Will take six days to saw lumber and make boat. This is a Godsend to us, as there was no knowing when we would have got there but for this. Brown sick with neuralgia. Moved camp. Left Camp Misery at 6 P.M., went down a mile ready to start in morning.

Saturday, July 14.—River stationary. Wind south. Morning cold and raw. Brown left with miners at 7:30 down lake to return with boat during day, when we leave for Shipyard. Brown rather better.

Sunday, July 15.—Cold and wet. Brown not back yet, must be helping to get out trees.

Monday, July 16.—Water again rising, rain during night. Stormy and cold to-day. Mountains covered with snow. At 11:30 party of four with big boat came along and took me with my stuff down the lake about 14 miles, where we camped for the night. Juneau party arrived at head of Lake Bennet on raft. Heavy wind and sea, had to put in and reduce sail.

Tuesday, July 17.—Wind south, and fresh. About 6:30 Staff-Sergeant Brown and one man appeared in a row-boat going up to head of lake for me. Went to camp over-land. Men getting on with boat. Will have lumber out to-day. Brown better. Camped opposite Monument Island. Now in the North-West Territories and angle of British Columbia. Big boat passed camp at 9:30, sailing fast. Still cold. Will start building boat to-morrow. Making sail and working down oars to-day.

Wednesday, July 18.—Wind south during night with rain and in early morning. Cloudy and cool. At work on boat. Hope to have it finished to-morrow night, which I hope will end all vexatious delays. The two parties travel together, which was part of bargain of building. Steep price. No other alternative.

Thursday, July 19.—Fine and warm, flies bad. Men working hard to finish boat. It is a pity that it is not ready so that we could take advantage of the fine days on lakes. Thunderstorm with heavy rain for about an hour. Worked till 10 P.M.

Friday, July 20.—Wind south, very light, weather hot, appears as though there would be more rain. Boat nearly finished. About 11:30 smart breeze sprang up. Three boats went down lake during forenoon. Boat finished and paid for about 3 P.M. Left camp and went as far as Wheatons River, where had to put ashore, boat leaking badly. Hauled her out for caulking and stayed night. Sailed part of way, when wind shifted to north, stormy breeze, could make no way against it. Baked bread.

Saturday, July 21.—Up at 4:30 A.M., wind very slight south. Left camp at 5:30 and passed through remainder of lake. Lake Nares at 8:10 and Mount Bove Lake, camped for dinner 10 A.M., very calm and hot. Met canoe with two Indian men and two boys in it in Nares Lake. Quit work at 10 P.M., rowed from early morning till 6 P.M. Sailed and rowed 10 miles after dinner, and camped at first Siwash house for night. Weather hot.

Sunday, July 22.—Sailed eight hours this A.M. and rowed four in afternoon. Crossed Lake March and went about 3 miles down Lewis River. Camped at 8 P.M. Ogilvie says in Report Lake March 19 miles and a little more. How did it take us eight hours' sailing and four rowing to make it. Is the Report correctly printed?

Monday, July 23.—Wind north and light, left camp at 6:30. Arrived at Canyon.

* Timber very small and short.

at 2 P.M. Big boat ran through by French Joe and Jack; small boat, theirs, portaged, water too rough for it. Stuff portaged along a mile, very hot. Met party of Indians going up river in a canoe. Bought fresh and dried elk meat from them. Three parties besides ourselves at Canyon, only one bad place now, viz., "White House."

Tuesday, July 24.—Wind south, very hot. Left camp at 9:30 foot of Canyon. Crossed over to other side. Ran part of fast water and then lowered boats, got boats and stuff over, finished at 11 P.M., carried one boat over bodily. Drew and carried larger boat. Three parties at this portage, which is about a mile for boats, pack trail rather shorter. A steep hill at south end of portage. A rude windlass here.

Wednesday, July 25.—Left camp at foot of White House at 7 A.M., went down river for first 6 or 7 miles, current swift. The names of miners with whom we have been in company for the past week are Joe Beaudoin and Jack Callings. The former a French Canadian, the latter American. Camped for night at head of Lake Laberge. Baked bread. At 9:30 P.M. decided to go on, wind having risen. At 11:15 P.M. had to camp, wind and sea too heavy.

Thursday, July 26.—Wind south-west and stormy. Left camp at 4:30 and crossed to east side of lake. Ran before wind till 9:15, when had to lay up on account of heavy sea and wind. At 12:50 made second start, but after a couple of hours had to lay up again. At 3 P.M. again started, going on till 6:40, when we landed for supper. At 7:15 again left and ran till 10:30, when we camped for night about mile from mouth of river. Heavy rain during day for about three hours.

Friday, July 27.—Wind south and light. Up at 5:30 A.M., left camp at 7, making river at 8. Indians camped on east bank for fishing. Child sick, asked for medicine, had none. Boat leaking badly. Stopped 3 P.M. to caulk and pitch boat, had to gather gum from pine and mix with grease for the purpose. Put up tent first time for ten days. Grave of little white child across the river from where we are camped, small wooden cross at head, did not go over to see name. Tea getting short, half plug tobacco left.

Saturday, July 28.—Left camp at 7 A.M., travelled 33 miles, and camped for day. Rained hard till 3 P.M. Had to stop and get dry things on. Camp of three miners at work on bars here. On 3rd June ground only thawed out to end of moss 10 feet down, to-day ground was frozen. Light fire to thaw. I find on inquiry that name of party buried in grave mentioned yesterday is Olsen, who was drowned in May going through ice. Passed Hootalinka River at 10 A.M. Five cargoes of liquor have gone in this season, from 50 to 200 gallons each.

Sunday, July 29.—Left camp at 6 A.M., dinner at noon, made 30 miles, heavy rain, had to put in and camp for rest of day at 8 P.M., raining hard. The body of a miner, Alex. McDonald, was found on 2nd June by Wm. Mahan and Charley, miners. Ground frozen so could not bury properly, covered him with moss. Had no wounds or other marks on him, was warmly clad, found dead with blanket round him alongside his camp fire, was an old timer, would go off by himself prospecting. Found near Frenchman's bar on left hand side of river. His pipe and knife were sent to Forty Mile in order to make sure and for identification. Have now had three days steady rain, everything wet through. Cold and miserable. Passed three parties to-day at work on bars. Should be in Forty Mile this day week if have no delays.

Monday, July 30.—Cool and cloudy in morning, shower in afternoon. Passed two camps of Indians. Passed Eagle's Nest at 9:15, Little Salmon (Daly River) about 10:30. Camped for night at 9:30 P.M.; hard day's work. Hope to make and run Five Fingers and Little Rapids to-morrow, and get well on the way to Pelly by night. Flies bad.

Tuesday, July 31.—Wind south, heavy; warm day. Left camp at 7:15 A.M., ran till 9:30, when came to Five Fingers, and ran it and proceeded. Ran Little Rapids 6 miles north, went on about 6 miles, camped for dinner. Travelled in afternoon till 6:30, when camped for night. Very tired to-night after hard work and long day yesterday. The boat has to be rowed always. Find it a mistake to work too late, as one has to make up for it next day; looks like rain. Will be at Fort Pelly to-morrow noon if all goes well.

Wednesday, August 1.—Left camp at 9:30. Arrived at Pelly Post at 12 noon. Remained a short time and went on at 2 P.M. Bought some supplies, paying 10 dollars for them. Served notice not to sell fixed ammunition to Indians. Joe and Jack going up Pelly River to mine. Store out of provisions except a few small articles. Notice *re* Indians served on George Cormack, and one posted in store. Went down river about 2 miles. Had to haul boat out and pitch her, leaking badly. Steamer not expected for two weeks. Now in Yukon.

Thursday, August 2.—Stormy north wind. Should be in Cudahy to-night. Raining heavily. In camp waiting for it to let up. About 11 A.M. began to be fine. Had dinner and left. At 4:45 camped for tea; left at 6 and rowed till 7:15, when we camped for night; flies bad. Made about 35 miles from Fort Pelly (old Fort Selkirk, H.B.C.). Indians threw down old chimneys as dangerous.*

Friday, August 3.—Left camp at 7:30, dinner at 12:30, supper at 6:15, after supper rowing from 7 to 9 P.M. Camped for night. Should be near White River; saw bear swimming across river, the first wild animal we have seen. Both of us very tired. Lost felling axe at supper camp. Six miners in two boats left Pelly, going out yesterday.

Saturday, August 4.—Calm and hot. Left camp at 7:15 A.M. At 10 passed White River, and 11:50 got to Stewart. Current swift. Water of river since passing White River white and muddy, but does not throw its waters across Yukon. Camped for noon opposite Stewart River. Arrived at Ogilvie Hooper and Le Duc's trading post at 9 P.M., and camped for night. Bought a few groceries. Sixty Mile Creek comes into Yukon opposite this trading post. Millar Creek runs into Sixty Mile about 60 miles up, and is said to be very rich. Many miners have gone up there and done well. Joe Tremblay washed up 12,000 as the result of one week's work. Forty Mile is, I hear, being deserted by all except whiskey men. The decent miners are wintering at other places. People are wanting force to stop this business.

Sunday, August 5.—Left Sixty Mile at 8:40 A.M., travelled till 12:15, had dinner and went on till 3 P.M., when had to land on account of high head wind. Improved time by baking bread. Hope to make Fort Reliance to-night by going on late, and Forty Mile to-morrow night. Hear Bishop is going to move to Pelly. Steamer "Pelly" at Sixty Mile laid up for present. Camped near site of old Fort Reliance for night, very tired and wet. Got on a gravel bar, and had to get out to push and carry boat off.

Monday, August 6.—Wind strong up river. Left camp near Fort Reliance (old site) at 8 A.M. Camped for noon at 11:15 A.M. on account of high wind, could not make any headway. Met Fritz, who has a salmon-curing establishment in river. Has put up 300 this year, last 1,000. Gets 12½ cents for whole salmon, and 25 cents for those with belly cut off.†

Left dinner camp at 1:15, had to put in at 2 P.M. on account of wind. Could not hold boats head to it. Camped in wind and rain storm at 9 P.M.

Tuesday, August 7.—Left camp at 7 A.M. and proceeded. Arrived at Forty Mile at 11:20; St. John's Mission the first house south. Went to store of North American Transportation and Trading Company, where arrangements were made to put us up. Healy and Jansen down river to meet boat. Am glad trip so far is done. Was well tired and sick of the everlasting river. Had just enough grub to see us through, getting here with about enough for another day. Boat is not expected in till 15th or 20th. Served notice of no sale allowed of fixed ammunition to Indians on T. C. Healy.

Wednesday, August 8.—Fine and warm. Very stiff and tired. Staff-Sergeant Brown went over to town to size it up. Had to buy articles of clothing, everything soaking wet and worn out.

Thursday, August 9.—Saw Bishop Bompas, and arranged for a meeting with the Indians on Monday next, 13th, at 3 P.M. Had a long chat with him about matters generally. His chief concern appears to be the spiritual welfare of the Indians, a dirty, lazy lot. Salmon have been very scarce this year on account of high water; has also been a bad year for miners on account of high water. Many have gone out, and more going.‡ Most mining appears to be done in creeks in American territory. Saw McQuestion, partner of O'Brien, and told him to get his invoices ready and take stock of goods on.

Friday, August 10.—Raining. In house reading up various Regulations, and trying get posted in Customs. Put a notice in each store of mineral lands other than coal and Dominion Lands Regulations in McQuestion's and North American Transportation and Trading Company store, indorsed for the use of the public, and not any particular person, and signed "C. Constantine, Dominion Agent." One O'Brien's from North-West Territory in town, and McDonald. Look them up. McDonald said to be the man sentenced for stage robbery at Prince Albert, and escaped from Penitentiary of Stony Mountain.

* Referred to in Dr. Dawson's Report.

† Heard afterwards that these men were going to Sixty Mile Creek on getting logs for cabin.

‡ On further inquiries found that they had gone to other parts of country, not out of it.

Saturday, August 11.—Cloudy and threatening rain. Cannot do anything more till steamers come in. Rain in afternoon. Inventory McQuestion and Co., North American Transportation and Trading Company, made out, but original invoices down at St. Michael's have to wait for their return by the boats.

Sunday, August 12.—Fine and hot. Place quiet.

Monday, August 13.—Fine and hot. Went to Mission, had talk with Indians, Chief Charlie and Headman Benjamin being spokesman. Very little said, except that they were satisfied and happy. The only complaint was that the miners would kill their dogs if they caught them stealing. Bishop promised to make me a copy of register of weather last winter. Had some talk with different miners.

Tuesday, August 14.—Fine and warm. Took application for purchase of 320 acres good land at Forty Mile from Thomas O'Brien; money for purchase or on account will be paid on asking for. Land not surveyed. Boats should be in soon now.

Wednesday, August 15.—Looked over land on flat at Forty Mile. Recommend that Government reserve be laid off at point commencing at junction of Slough at St. John's Mission and Yukon River to a point 150 yards north, and thence running in a westerly direction to a point on mountain. Trees changing colour of foliage. Steamer "Weare" expected this evening or during night. The above reserve will bring quarters between Mission and present village of Forty Mile.

Thursday, August 16.—Cold and cloudy. No boat yet. It is said that a party came up from Juneau bringing large mail, but took it up to Stewart River with them, instead of sending on here. No opportunity of getting mail out. Heavy rain in afternoon and evening. Made copy of map in order to get information from miners as to if any practicable water from Cassier and Cariboo, British Columbia, to lake from which Hootalinka River flows.

Friday, August 17.—Cool and cloudy. Went to Forty Mile to-day, and saw Niel McArthur and Jim Bender *re* the Hootalinka River. Mill closed down to-night, having cut 115,000 feet of house logs and boards.

Saturday, August 18.—At work on Report. Raining all day and 11 p.m. About thirty miners in town. All very quiet and orderly.

Sunday, August 19.—Raining hard all day. Worked at Report. Bust, a miner, very sick with pleurisy. Taken into Healy's house.

Monday, August 20.—Fine and cloudy. Working at Report and account of expenditure. No sign of steamer yet. River rising.

Tuesday, August 21.—Fine and clear. Night cold. River rose 1 foot during night. Staff-Sergeant Brown went to Forty Mile to pick up information. Indians killed a cariboo crossing river at Forty Mile. Frost last night. Nothing to eat in the way of vegetables.

Wednesday, August 22.—Fine and clear. Frost again. River fell during night. Mrs. J. M. Healy made affidavit of quartz mining claim and paid 5 dollars. Writing on Report. Rain during afternoon.

Thursday, August 23.—Fine in morning. Shower of rain afternoon. Evening cold and clear.

Friday, August 24.—Clear and fine. Mail came in from the south brought in by miners; among them was Billy Hazwood, from Maple Creek, a cow puncher, who knew Staff-Sergeant Brown there. No letters for me. A man of the house of Borker will be in in a day or two. He is said to have mail with him. Staff-Sergeant Brown away two meals.

Saturday, August 25.—Fine and clear morning. Cloudy and rainlike in afternoon. Staff-Sergeant Brown on leave for three days. Boats not yet here. Grub getting short in Settlement. Water falling fast in river.

Sunday, August 26.—Fine and warm. No sign of boats yet.

Monday, August 27.—Fine but cloudy. Frost last night. No boats yet. Situation getting rather serious. Got a mammoth tusk to-day.

Tuesday, August 28.—Cloudy, with light showers in evening. Received letter from Mr. White, dated 29th June, came in by Barker, who arrived last night. Two from Juneau. Heard from Barker that steamer had not sailed from Seattle till nearly end of July or beginning of August.

Wednesday, August 29.—Fine, cloudy in morning clear in afternoon. Schooner "Arctic" from mouth arrived at 12:30. Some trouble about collection of duties from them. No invoices till next boat, and saying it is in disputed territory, which is not the case. I can't say how it will turn out this season, but have none for next, or for the collection of the duties. These people will have to be taught a lesson and be shown

that they cannot set themselves against the law. Have no force to enforce. About 300 miners visiting here for supplies.

Thursday, August 30.—Fine and warm. Leaves turning very fast. Staff-Sergeant Brown to leave for Pelly on steamer if necessary on account of customs. Staff-Sergeant Brown left for Pelly at 6 P.M. to check cargo for Harper. Gave him 50 dollars for expenses, to be accounted for. Town of Forty Mile very quiet. Received from Bishop Bompas letter addressed to Minister of Interior asking for grant from Crown of certain lands for Church purposes at Forty Mile. Pelly and Porcupine Missions.

Friday, August 31.—Cloudy and cool, with showers during the day. Working on Report. North American Transportation and Trading Company's boat "Weare" arrived at 9:35 P.M.

Saturday, September 1.—Cloudy, with appearance of rain. Received 320 dollars; of this 100 dollars in gold dust from McQuestion and Co. on account of application to purchase 320 acres of good land at Forty Mile. Will have customs satisfactorily arranged. Saw Bishop Bompas, and got his original invoices.

Sunday, September 2.—Cold and cloudy. Unloading boat.

Monday, September 3.—Fine and warm. Received draft or order from McQuestion and Co. on Alaska Trading Company on account of customs, 1,000 dollars; from Bishop Bompas, 110 dol. 96 c.; from North American Transportation and Trading Company 2,000 dollars draft on Chicago; all in favour of Thos. S. Walters.

Left Fort Cudahy, on return east, at 6:30. Tied up for night to take on wood at 7:30. Received 160 dollars from J. J. Healy accompanying application to purchase 160 acres Dominion Government lands.

Tuesday, September 4.—Cold and cloudy. Passed Seventy Mile at 9 A.M. Thermometer at noon 50 degrees. Tied up for the night at about 4 miles from Birch Creek, landing on account of darkness.

Wednesday, September 5.—Fine, but cold. Heavy fog in early morning; did not get away from Birch Creek on that account till 10:30 A.M. All day in Yukon flats. River very wide and full of islands and sand bars, with very narrow, short passages. Bank badly cut, and full of large uprooted trees. To the left high range of mountains, at a distance should say of 30 to 40 miles. Quite a number of miners got off at Birch Creek. Passed site of old Fort Yukon at 4:50; three trading houses there now, no sign of old fort. Inside Arctic Circle.

Thursday, September 6.—Cold, and particularly cloudy in morning. At 2 P.M. will begin to come closer to river. "Wooded up" on "Stevens'" houses; boat did some trading. Tied up at 8:45. This is a small mining camp, the diggings having been found a short time ago. Raining.

Friday, September 7.—Heavy fog, had to tie up for some hours. Thermometer at 9 A.M., 40 degrees. Passed through so-called rapids at 10:20 A.M. and into Ramports River, comparatively narrow with steep hills on either side. Passed Fort Adams at 3 P.M. A paper is published here by the Episcopal missionary. Two rather good buildings, with the usual complement of Siwash tents, &c. Raining. At 5:30 passed coal beds on fire. Seams appeared through glasses from boat to be about 6 feet, and smoke issued from seven places. About 30 miles below Fort Adams. At 7:30 saw snow on mountains, country low and flat.

Saturday, September 8.—Raining. Lands flat and low, with occasional peaks in the distance. Passed Nulato at 4:10; cold, and clouds with showers. At Nulato Barnaro was killed by Indians; he was one of the search party for Sir John Franklin in . Kennicott, of the Doll exploring party, died and was buried here.

Sunday, September 9.—Fine and warm. Country getting lower. Arrived at [?] at 5:30 and left at 6:15. A Roman Catholic missionary here, with a neat church on outside.

Monday, September 10.—At 7:30 mercury at 42 degrees. Cloudy. Arrived at Russian Mission at 11 A.M. The priest, a fat, dirty, greasy old man, came on board and wanted a photo of the church taken. Small village of perhaps a couple of hundred. Church with cupola, and painted yellow and green. This place is about 200 miles from the sea. Day cold and miserable, with high wind. Tied up for the night at 8 P.M. Cloudy with breeze.

Tuesday, September 11.—Cold, cloudy, and calm. Mercury 44 degrees. At noon, warmer. Arrived at St. Michael's at 2 P.M. The last 50 miles was very rough, and boat laboured a good deal. United States' revenue-steamer "Bear" in port. May get down as far as Ounalaska on her. Went on board the "Bear" at 10 P.M. Captain Healy tendered me the courtesies of the ship as a Canadian officer.

Wednesday, September 12.—Still at anchor off St. Michael's. Sea gone down. Cool, and partially cloudy. Left St. Michael's at 2 P.M. Weather fair and sea smooth. Dr. Sheldon Jackson on board. Gave me a pamphlet on reindeer, three on board.

Thursday, September 13.—At sea. Sails set. Wind and weather fair.

Friday, September 14.—At sea. Quiet and fine.

Saturday, September 15.—Arrived at St. Lawrence Island at 10 A.M. Island 90 miles long by 30 miles. American Presbyterians have Mission here. Gamble teacher. Fine and sea calm. Several natives came on board, dirty, filthy lot.

Sunday, September 16.—At anchor off St. Lawrence Island. Strong breeze from east. Three men ashore working at Mission-house. Cold. Left St. Lawrence at 3 P.M. Breeze freshening.

Monday, September 17.—Stormy breeze from east-north-east, ship under sail only. Heavy sea running. Passed St. Matthew and Hall Islands at 6 P.M. Heavy wind during night. Rain and showers.

Tuesday, September 18.—Breeze and sea going down. Weather clearing, cold. At 4.15 sea quiet, and wind dying out.

Wednesday, September 19.—Sighted St. Paul, the larger of the seal islands, at 5.45 A.M. Ground swell. No wind. The smaller island, St. George, 40 miles south. Came to anchor opposite flag-staff at 10 A.M. Weighed anchor at 1 P.M. Fine, with appearance of breeze. Seals playing about ship, and shores covered with them. At 3 P.M. anchored off village on St. Paul.

Thursday, September 20.—At midnight weighed anchor and left for St. George, the smaller of the islands, arriving at 6 A.M. Boat with Government Agent came off to ship. Proceeded on course to Ounalaska, distant 180 miles south-east. Wind light, sea smooth. Sighted at 11 A.M., overhauled, and spoke with whaling-barque "Mars" at 1 P.M., six sperm and six "right" whales. Went on course. Weather fine.

Friday, September 21.—Beautiful morning. Sighted Ounalaska at early morning, and came to anchor in harbour at 9.30. United States' war-ship "Mohican" and English cruiser "Pheasant" in port. Steam-ship "Dora," in port, sails to-morrow. I go on her. United States' ship "Ranger" came into port about 11 A.M. Captain (Commander) of "Pheasant" came on board "Bear," and asked me to go with him to Victoria, British Columbia, as his guest. Accepted with thanks, and went on board at 6 P.M., to sail in morning.

Saturday, September 22.—Did not leave port owing to heavy gale from south-west, with rain showers. Cold and miserable day. Steam-ship "Dora" still in harbour for same reason.

Sunday, September 23.—Left Ounalaska at 9.30. Day fine, with fresh breeze. Got through pass at 1 P.M. Heavy sea all night, no rest.

Monday, September 24.—At sea. Still heavy sea. Good breeze, making $9\frac{1}{2}$ miles an hour. Distant from Ounalaska at noon to-day, 177 miles. Steering direct for Victoria.

Tuesday, September 25.—At sea. Fair wind, and sea going down. Made from noon yesterday to noon to-day, 196 miles.

Wednesday, September 26.—Sea calm; drizzling in afternoon. At noon to-day had run 180 miles. Afternoon clear and bright. Fair wind.

Thursday, September 27.—Wind fair and sea moderate. Showers in morning; cleared up and sunshine at noon; at 2.5 slight hail shower.

Friday, September 28.—Squalls increasing to gale. At 3.25 in afternoon tiller-ropes parted. Shipped tiller and got ship under control. Laying-to at 4.30. Very heavy sea. At noon had run 217 miles; 640 miles distant from Cape Flattery. Repaired and under way at 7.30.

Saturday, September 29.—11.30 A.M., sea calm and wind dying away. Fine day. Distance run, 148 miles. Gun practice in afternoon. In evening electric light and repelling torpedo-boat.

Sunday, September 30.—Smooth sea, cloudy weather, with showers. Distance run, 149 miles. Rain in afternoon and evening.

Monday, October 1.—Fine day, sea calm, fair wind. Sighted two schooners, bore up under our stern heading for Nootka Sound. At noon, 220 miles from Esquimalt. Land on port bow.

Tuesday, October 2.—Arrived at Esquimalt at 6.30 on Her Majesty's ship "Pheasant," Captain E. H. Blair. Wet, head wind off Cape Flattery at 8 A.M. Landed two Indians at Neah Bay; went to Driard; wired Comptroller. Very wet day.

Wednesday, October 3.—Wired Commissioner and wrote Mr. White, Ottawa, also to O.C. "B." Heavy rain. Drew 240 dollars balance from Bank of Montreal; no interest allowed.

Thursday, October 4.—Called at Government offices. Got tracing from Mr. Gore of Govereau's exploration of Taku Inlet. Bought ticket for Moosomin. Went on board the "Charmer" for Vancouver.

Friday, October 5.—Arrived at Vancouver at 10 A.M. Raining. Went on board train and left at 2 P.M. for east. Boundary Commission on board.

Saturday, October 6.—On train. Fine day.

Sunday, October 7.—On train. Fine and warm.

Monday, October 8.—Arrived at Moosomin at 2:10 this morning from Yukon district.

(Signed) C. CONSTANTINE.

1892 to 1894.—TEMPERATURE at Buxton Mission, Forty Mile, Upper Yukon River, North-West Territory, Canada, daily at 7 A.M., 1 P.M., and 7 P.M.

(A spirit thermometer from London, England, marked to 106 degrees, used in the second winter, but in the first winter an American mercurial thermometer.)

Note.—It is observed that in the American thermometers used hereabouts the degrees are marked of the same size throughout, but in the English thermometers the degrees regularly diminish in size below freezing. This seriously affects the reading at very low temperatures, probably to the extent of 10 degrees at the freezing point of mercury or below, the American thermometers reading a much higher temperature. In comparing the temperatures of the two successive numbers below, this must be borne in mind.

Date.		Temperature.			Remarks.
		7 A.M.	1 P.M.	7 P.M.	
		Degrees.	Degrees.	Degrees.	
1892.					
August	24 ..	..	..	..	Aurora.
"	25 ..	..	..	55	River fogs. Frosty.
"	26 ..	42	64	59	Clear.
"	27 ..	56	65	68	Cranes flying.
"	28 ..	..	59	59	
"	29 ..	54	63	55	Slight Aurora.
"	30 ..	39	..	50	Frost on ground. Aurora.
"	31 ..	42	62	55	
September	1 ..	42	64	55	Leaves tinted.
"	2 ..	45	64	62	
"	3 ..	42	63	63	
"	4 ..	44	67	64	
"	5 ..	49	56	..	Slight rain.
"	6 ..	47	62	58	
"	7 ..	55	62	55	Thunder.
"	8 ..	45	57	..	
"	9 ..	55	62	59	High wind in afternoon
"	10 ..	49	56	59	
"	11 ..	49	59	54	
"	12 ..	38	..	49	Bright Aurora.
"	13 ..	42	57	50	
"	14 ..	42	..	..	Windy.
"	15 ..	..	..	..
"	16 ..	..	..	..	River falling rapidly.
"	17 ..	..	..	..
"	18 ..	42	52	..	
"	19 ..	37	39	37	Heavy fall of snow.
"	20 ..	32	40	32	
"	21 ..	28	42	32	
"	22 ..	27	39	31	Thaw.
"	23 ..	27	32	32	
"	24 ..	28	39	30	

Date.	Temperature.			Remarks.
	7 A.M.	1 P.M.	7 P.M.	
	Degrees.	Degrees.	Degrees.	
1892.				
September 25 ..	30	32	30	Wind.
" 26 ..	27	33	28	
" 27 ..	23	39	..	
" 28 ..	22	30	..	
" 29 ..	20	40	39	
" 30 ..	22	40	39	
October 1 ..	21	39	30	Ice drift in river increasing daily.
" 2 ..	19	39	33	
" 3 ..	30	35	30	
" 4 ..	30	35	42	
" 5 ..	35	45	34	
" 6 ..	16	35	30	
" 7 ..	22	40	35	
" 8 ..	20	40	30	
" 9 ..	21	40	34	
" 10 ..	33	39	..	
" 11 ..	33	36	32	
" 12 ..	25	23	..	
" 13 ..	10	20	..	
" 14 ..	20	24	29	
" 15 ..	32	34	32	
" 16 ..	34	39	33	
" 17 ..	32	37	..	
" 18 ..	35	39	32	
" 19 ..	34	35	32	
" 20 ..	32	38	32	
" 21 ..	28	35	28	
" 22 ..	19	35	30	
" 23 ..	14	..	22	
" 24 ..	15	22	36	
" 25 ..	25	28	38	
" 26 ..	25	25	23	
" 27 ..	12	20	10	
" 28 ..	10	15	4	
" 29 ..	..	..	..
" 30 ..	..	..	..
" 31 ..	..	..	..
November 1	Eclipse of moon 6 A.M.
" 2 ..	..	..	..
" 3 ..	..	..	..
" 4 ..	..	..	..
" 5 ..	..	..	..
" 6	Henceforth all minus readings till December 12.
" 7 ..	..	..	..
" 8 ..	..	..	..
" 9 ..	..	..	..
" 10 ..	0	4	0	
" 11 ..	8	4	10	
" 12 ..	8	4	2	
" 13 ..	10	11	10	
" 14 ..	20	10	18	
" 15 ..	4	8	10	
" 16 ..	10	9	13	
" 17 ..	20	10	20	
" 18 ..	30	..	30	
" 19 ..	32	35	30	
" 20 ..	35	35	40	
" 21 ..	38	..	35	
" 22 ..	40	38	42	
" 23 ..	41	36	40	
" 24 ..	40	35	40	
" 25 ..	20	18	10	
" 26 ..	10	8	10	
" 27 ..	10	8	16	
" 28 ..	16	10	30	
" 29 ..	40	40	..	
" 30 ..	42	40	42	

Date.			Temperature.			Remarks.
			7 A.M.	1 P.M.	7 P.M.	
1892.			Degrees.	Degrees.	Degrees.	
December	1	..	30	20	16	
"	2	..	20	19	25	
"	3	..	10	8	10	
"	4	..	0	0	6	
"	5	..	0	0	8	
"	6	..	5	4	..	
"	7	..	10	5	10	
"	8	..	10	10	..	No sun visible, hidden by hills.
"	9	..	10	..	..
"	10	..	10	..	..
"	11	..	10	8	10	
"	12	..	0	..	13	
"	13	..	10	8	2	
"	14	..	8	15	25	
"	15	..	..	..	..
"	16	..	..	10	..	
"	17	..	..	..	..
"	18	..	10	..	2	
"	19	..	0	0	6	
"	20	..	10	8	2	
"	21	..	2	1	8	All minus readings till January 11.
"	22	..	2	4	..	
"	23	..	3	2	..	
"	24	..	13	3	12	
"	25	..	30	25	32	
"	26	..	..	..	..
"	27	..	30	25	30	
"	28	..	35	20	17	
"	29	..	17	16	17	
"	30	..	35	30	36	
"	31	..	40	..	..	Mercury frozen. Sun dog.
1893.						
January	1	..	..	..	..
"	2	..	40	40	40	
"	3	..	42	..	..
"	4	..	..	..	..	Mercury frozen.
"	5	..	20	17	16	Cloudy. Snowfall.
"	6	..	16	17	19	
"	7	..	10	10	11	
"	8	..	7	6	4	
"	9	..	6	5	2	
"	10	..	8	6	2	
"	11	..	2	8	2	
"	12	..	..	..	..
"	13	..	..	..	..
"	14	..	4	5	4	
"	15	..	9	5	8	
"	16	..	2	6	10	
"	17	..	20	15	10	
"	18	..	15	0	5	
"	19	..	..	..	..
"	20	..	..	..	..
"	21	..	..	..	..	Mercury frozen. Supposed temperature, 50 degrees.
"	22	..	..	..	..
"	23	..	..	..	..
"	24	..	14	13	18	
"	25	..	20	18	30	
"	26	..	..	..	..
"	27	..	20	14	30	
"	28	..	39	30	40	
"	29	..	..	..	..
"	30	..	..	..	..	Mercury frozen; 48 degrees at Forty Mile.
"	31	..	..	..	..
February	1	..	..	40	..	
"	2	..	..	..	30	
"	3	..	..	38	..	
"	4	..	..	38	..	

Date.			Temperature.			Remarks.
			7 A.M.	1 P.M.	7 P.M.	
1893.			Degrees.	Degrees.	Degrees.	
February	5	..	39	35	40	
"	6	..	38	32	30	
"	7	..	..	..	..
"	8	..	20	10	25	
"	9	..	30	25	30	
"	10	..	..	30	36	
"	11	..	..	..	35	
"	12	..	..	..	40	
"	13	..	..	..	39	
"	14	..	..	12	10	
"	15	..	0	5	..	
"	16	..	4	28	3	
"	17	..	3	10	6	
"	18	..	5	14	14	
"	19	..	..	..	..
"	20	..	5	10	6	
"	21	..	10	20	18	
"	22	..	2	10	2	
"	23	..	..	..	..
"	24	..	3	6	3	
"	25	..	15	20	20	
"	26	..	15	30	25	
"	27	..	20	30	20	
"	28	..	18	25	19	
March	1	..	19	20	18	
"	2	..	..	..	..
"	3	..	..	..	..
"	4	..	..	..	..
"	5	..	19	25	20	
"	6	..	15	25	10	
"	7	..	2	30	22	
"	8	..	20	25	10	
"	9	..	13	3	7	
"	10	..	16	25	13	
"	11	..	10	25	8	
"	12	..	7	20	3	
"	13	..	3	12	5	
"	14	..	3	18	12	
"	15	..	5	..	..
"	16	..	3	15	10	
"	17	..	9	20	15	
"	18	..	7	22	8	
"	19	..	10	10	8	
"	20	..	10	22	12	
"	21	..	9	13	7	
"	22	..	2	24	7	
"	23	..	17	38	28	
"	24	..	32	18	15	High wind, south and south-west.
"	25	..	13	16	10	
"	26	..	2	18	2	
"	27	..	10	18	10	At 6 A.M. 20 degrees.
"	28	..	10	17	13	
"	29	..	18	30	28	
"	30	..	..	..	..
"	31	..	9	..	5	Gale continues.
April	1	..	9	13	8	Ditto.
"	2	..	2	4	2	Ditto.
"	3	..	7	3	4	Ditto.
"	4	..	12	12	2	At 6 A.M. 30 degrees. Gale subsides
"	5	..	10	15	14	
"	6	..	14	32	30	
"	7	..	37	47	37	
"	8	..	34	45	37	
"	9	..	30	36	34	
"	10	..	31	41	31	
"	11	..	29	32	30	
"	12	..	29	40	29	
"	13	..	28	36	34	
"	14	..	28	42	32	Hailstorm.

Date.			Temperature.			Remarks.
			7 A.M.	1 P.M.	7 P.M.	
1893.			Degrees.	Degrees.	Degrees.	
April	15	..	32	40	35	
"	16	..	24	40	30	
"	17	..	20	42	31	
"	18	..	33	48	31	
"	19	..	29	48	32	
"	20	..	28	49	36	
"	21	..	27	48	37	
"	22	..	29	48	32	
"	23	..	39	50	48	
"	24	..	39	58	42	
"	25	..	42	54	42	
"	26	..	42	54	42	Raw showers. Flight of geese.
"	27	..	39	54	34	
"	28	..	39	56	42	Much water on the river.
"	29	..	38	54	42	
"	30	..	33	35	36	
May	1	..	23	28	20	At 6 A.M. 20 degrees.
"	2	..	26	36	35	
"	3	..	23	40	31	
"	4	..	31	40	35	
"	5	..	36	45	38	
"	6	..	34	48	47	Forty Mile Creek breaking.
"	7	..	41	52	41	
"	8	..	36	54	46	
"	9	..	41	52	42	
"	10	..	41	48	39	
"	11	..	38	45	44	
"	12	..	37	52	48	A fall of 10 degrees in one hour, <i>i.e.</i> , to 36 degrees, preceding the breaking of the Yukon.
"	13	..	39	54	45	
"	14	..	45	58	50	
"	15	..	48	60	52	Swallows, geese, ducks, water snipe.
"	16	..	52	64	52	
"	17	..	54	66	57	
"	18	..	54	68	60	
"	19	..	54	62	54	
"	20	..	48	58	54	
"	21	..	49	62	49	
"	22	..	..	60	..	
"	23	..	46	56	45	
"	24	..	44	56	45	
"	25	..	48	55	54	
"	26	..	48	55	50	Thick fog on the river.
"	27	..	52	62	61	
"	28	..	54	58	56	
"	29	..	..	..	..
"	30	..	45	55	..	
"	31	..	45	59	54	
June	1	..	42	45	50	
"	2	..	42	49	52	
"	3	..	52	40	53	
"	4	..	54	60	54	
"	5	..	52	62	59	
"	6	..	54	64	58	
"	7	..	58	72	62	
"	8	..	60	82	62	
"	9	..	59	74	54	
"	10	..	56	68	..	
"	11	..	59	76	72	
"	12	..	58	82	72	
"	13	..	54	74	69	
"	14	..	54	72	64	
"	15	..	56	70	65	
"	16	..	54	62	56	
"	17	..	45	56	54	
"	18	..	54	69	65	
"	19	..	54	64	62	
"	20	..	55	66	60	

Date.			Temperature.			Remarks.
			7 A.M.	1 P.M.	7 P.M.	
1893.			Degrees.	Degrees.	Degrees.	
June	21	..	54	62	45	Snow on the mountains.
"	22	..	45	50	47	
"	23	..	45	60	42	
"	24	..	47	56	54	
"	25	..	42	52	43	
"	26	..	42	50	42	
"	27	..	54	60	56	
"	28	..	54	59	54	
"	29	..	56	72	60	
"	30	..	62	72	59	
July	1	..	59	70	63	
"	2	..	60	71	59	
"	3	..	59	68	57	
"	4	..	59	75	62	
"	5	..	60	76	62	
"	6	..	65	81	60	
"	7	..	56	76	60	
"	8	..	60	79	59	
"	9	..	56	82	61	
"	10	..	65	82	60	
"	11	..	59	61	55	
"	12	..	55	61	56	
"	13	..	56	62	54	
"	14	..	50	56	51	
"	15	..	42	56	50	
"	16	..	50	62	54	
"	17	..	52	66	56	
"	18	..	56	63	60	
"	19	..	59	78	62	
"	20	..	60	78	62	
"	21	..	67	80	69	
"	22	..	63	78	67	
"	23	..	62	76	61	
"	24	..	60	72	61	
"	25	..	59	69	67	
"	26	..	63	67	61	
"	27	..	56	64	56	
"	28	..	54	59	56	
"	29	..	56	64	61	
"	30	..	45	60	59	
"	31	..	51	63	45	
August	1	..	51	60	50	High wind.
"	2	..	55	67	66	
"	3	..	61	72	59	
"	4	..	57	52	54	
"	5	..	52	62	53	
"	6	..	51	63	52	
"	7	..	50	59	60	
"	8	..	53	68	65	
"	9	..	49	69	62	
"	10	..	55	68	60	
"	11	..	55	71	69	Stars visible at 10 P.M. for the first time for three months.
"	12	..	57	72	61	
"	13	..	58	72	68	
"	14	..	56	72	69	
"	15	..	57	72	68	
"	16	..	57	69	60	
"	17	..	55	65	59	
"	18	..	47	69	58	
"	19	..	50	72	64	
"	20	..	60	71	69	
"	21	..	64	72	60	
"	22	..	65	72	64	
"	23	..	50	69	59	
"	24	..	52	69	57	
"	25	..	50	63	..	
"	26	..	53	65	60	
"	27	..	52	64	59	

Date.			Temperature.			Remarks.
			7 A.M.	1 P.M.	7 P.M.	
1893.			Degrees.	Degrees.	Degrees.	
August	28	..	50	61	56	
"	29	..	40	61	54	
"	30	..	54	59	55	
"	31	..	56	59	54	
September	1	..	45	56	46	Snow on the mountains.
"	2	..	43	56	40	
"	3	..	35	57	53	
"	4	..	50	56	54	
"	5	..	50	57	49	Fine Aurora. High gale from north-east.
"	6	..	42	54	39	
"	7	..	35	54	39	Snowfall.
"	8	..	39	53	37	
"	9	..	37	42	39	
"	10	..	39	42	35	
"	11	..	35	42	37	
"	12	..	39	47	42	
"	13	..	37	46	41	
"	14	..	35	45	42	Geese flying.
"	15	..	35	42	39	Frost night.
"	16	..	33	35	35	Woodpeckers.
"	17	..	41	45	41	Heavy snowfall.
"	18	..	38	45	42	Thaw all day and rain.
"	19	..	38	45	42	
"	20	..	39	45	39	
"	21	..	37	59	34	
"	22	..	18	31	33	
"	23	..	29	33	31	
"	24	..	37	45	43	
"	25	..	40	45	36	
"	26	..	33	44	34	
"	27	..	35	47	38	Snow.
"	28	..	33	45	35	Thaw.
"	29	..	32	39	32	
"	30	..	17	32	20	
October	1	..	16	33	28	
"	2	..	20	46	36	
"	3	..	29	36	30	
"	4	..	26	39	28	
"	5	..	16	37	27	
"	6	..	23	39	21	
"	7	..	17	21	17	
"	8	..	24	33	20	
"	9	..	10	22	17	
"	10	..	16	21	17	
"	11	..	15	21	16	
"	12	..	16	25	21	Ice drifting.
"	13	..	12	29	27	Bright Aurora.
"	14	..	9	35	25	Snow birds.
"	15	..	33	39	38	
"	16	..	16	20	18	
"	17	..	16	16	13	
"	18	..	11	16	13	
"	19	..	2	13	3	
"	20	..	1	11	1	
"	21	..	10	11	1	
"	22	..	10	19	..	
"	23	..	14	..	..
"	24	..	16	34	29	
"	25	..	1	17	13	
"	26	..	0	14	3	
"	27	..	14	16	11	
"	28	..	10	21	20	
"	29	..	20	22	18	
"	30	..	3	9	15	River set fast.
"	31	..	7	10	9	
November	1	..	5	8	10	
"	2	..	1	3	5	
"	3	..	7	3	11	

Date.			Temperature.			Remarks.
			7 A.M.	1 P.M.	7 P.M.	
1893.			Degrees.	Degrees.	Degrees.	
November	4	..	10	7	3	
"	5	..	1	5	3	
"	6	..	3	2	2	
"	7	..	31	16	26	
"	8	..	31	20	11	
"	9	..	29	18	15	
"	10	..	17	8	3	
"	11	..	28	26	15	
"	12	..	1	3	8	
"	13	..	..	..	..
"	14	..	5	5	11	
"	15	..	8	6	8	
"	16	..	24	26	21	
"	17	..	19	24	21	Woodpeckers.
"	18	..	17	20	12	
"	19	..	5	5	5	
"	20	..	4	3	1	
"	21	..	6	12	24	
"	22	..	21	21	26	
"	23	..	34	32	34	
"	24	..	40	33	40	
"	25	..	41	40	43	
"	26	..	48	45	48	
"	27	..	49	15	49	
"	28	..	52	50	51	
"	29	..	50	45	46	
"	30	..	58	53	57	
December	1	..	57	53	56	
"	2	..	57	53	54	
"	3	..	58	57	53	
"	4	..	46	50	53	
"	5	..	47	40	37	
"	6	..	24	17	14	
"	7	..	24	30	14	
"	8	..	15	20	17	No sun visible; hidden by the hills till January 1.
"	9	..	21	22	30	
"	10	..	47	46	54	
"	11	..	59	55	60	
"	12	..	63	60	63	
"	13	..	65	61	60	
"	14	..	61	59	57	
"	15	..	57	57	59	
"	16	..	40	31	27	
"	17	..	20	18	26	
"	18	..	14	4	1	
"	19	..	5	3	1	
"	20	..	11	13	16	
"	21	..	19	18	17	
"	22	..	41	11	10	
"	23	..	10	9	13	
"	24	..	10	9	9	
"	25	..	10	13	9	
"	26	..	7	7	11	
"	27	..	7	11	13	
"	28	..	5	7	5	
"	29	..	7	8	9	
"	30	..	10	9	11	
"	31	..	14	9	8	
1894.						
January	1	..	10	16	9	
"	2	..	9	10	20	
"	3	..	1	3	17	
"	4	..	3	1	2	
"	5	..	6	6	19	
"	6	..	29	26	40	
"	7	..	45	43	47	Sun partially visible.
"	8	..	19	16	14	

Date.			Temperature.			Remarks.
			7 A.M.	1 P.M.	7 P.M.	
1894.			Degrees.	Degrees.	Degrees.	
January	9	..	17	19	35	Sun visible at 11.15.
"	10	..	43	37	46	
"	11	..	63	62	66	
"	12	..	75	72	73	
"	13	..	76	67	68	
"	14	..	66	63	56	
"	15	..	33	36	46	
"	16	..	50	46	54	
"	17	..	66	59	66	
"	18	..	63	47	44	
"	19	..	60	57	64	
"	20	..	72	67	67	
"	21	..	70	69	63	
"	22	..	54	47	47	
"	23	..	45	41	42	
"	24	..	39	34	35	
"	25	..	32	27	29	
"	26	..	25	19	11	
"	27	..	4	2	20	
"	28	..	27	17	16	
"	29	..	12	13	23	
"	30	..	18	7	1	
"	31	..	2	0	8	
February	1	..	7	1	1	Bright Aurora. Bright double halo round sun. Heavy snowfall. Gale from the north
"	2	..	5	9	9	
"	3	..	7	3	6	
"	4	..	21	22	23	
"	5	..	35	30	45	
"	6	..	39	25	31	
"	7	..	45	35	28	
"	8	..	47	37	47	
"	9	..	61	45	..	
"	10	..	48	45	57	
"	11	..	62	45	59	
"	12	..	57	45	55	
"	13	..	64	45	49	
"	14	..	60	39	50	
"	15	..	45	29	34	
"	16	..	34	16	23	
"	17	..	45	29	39	
"	18	..	51	29	30	
"	19	..	35	19	20	
"	20	..	34	15	24	
"	21	..	39	19	19	
"	22	..	13	4	13	
"	23	..	33	15	24	
"	24	..	32	11	13	
"	25	..	13	7	13	
"	26	..	16	5	11	
"	27	..	19	17	23	
"	28	..	30	16	27	
March	1	..	50	19	27	Snow birds. High wind from north-west.
"	2	..	11	5	2	
"	3	..	2	3	4	
"	4	..	6	7	2	
"	5	..	17	9	6	
"	6	..	6	16	1	
"	7	..	2	20	14	
"	8	..	8	8	0	
"	9	..	18	4	15	
"	10	..	30	1	2	
"	11	..	8	7	11	
"	12	..	37	13	20	
"	13	..	18	18	22	
"	14	..	40	20	33	
"	15	..	42	27	23	
"	16	..	41	19	27	
"	17	..	37	7	17	
"	18	..	27	1	3	

Date.			Temperature.			Remarks.
			7 A.M.	1 P.M.	7 P.M.	
1894.			Degrees.	Degrees.	Degrees.	
March	19	..	5	12	14	
"	20	..	4	20	15	
"	21	..	4	7	0	
"	22	..	25	7	17	
"	23	..	7	22	12	
"	24	..	1	21	16	
"	25	..	1	27	23	
"	26	..	1	25	21	
"	27	..	1	33	22	
"	28	..	7	27	22	
"	29	..	3	30	25	
"	30	..	20	37	30	
"	31	..	19	40	34	
April	1	..	21	42	35	
"	2	..	33	33	39	
"	3	..	4	33	27	
"	4	..	3	30	24	
"	5	..	..	..	..	Gale from the north.
"	6	..	7	7	7	Ditto.
"	7	..	18	11	9	Ditto. Moderating.
"	8	..	18	11	16	
"	9	..	18	14	12	
"	10	..	20	11	7	
"	11	..	19	3	7	
"	12	..	22	4	3	
"	13	..	17	12	3	
"	14	..	24	7	3	
"	15	..	25	15	10	
"	16	..	20	10	13	
"	17	..	5	19	10	
"	18	..	6	20	11	
"	19	..	13	7	4	
"	20	..	8	3	7	
"	21	..	17	16	13	
"	22	..	17	18	27	
"	23	..	14	24	32	
"	24	..	17	37	39	
"	25	..	38	49	38	
"	26	..	37	45	36	Geese passing.
"	27	..	38	40	40	Heavy snowfall.
"	28	..	27	34	31	
"	29	..	26	23	21	
"	30	..	22	29	37	
May	1	..	24	41	36	
"	2	..	29	40	32	Hail fell. Geese.
"	3	..	26	36	40	
"	4	..	31	40	38	
"	5	..	33	41	23	
"	6	..	21	39	33	
"	7	..	27	36	36	
"	8	..	26	41	43	
"	9	..	25	39	33	
"	10	..	29	35	33	
"	11	..	25	31	30	
"	12	..	29	37	30	
"	13	..	32	45	36	
"	14	..	32	46	54	
"	15	..	38	50	54	
"	16	..	34	50	41	
"	17	..	39	55	47	
"	18	..	39	57	46	
"	19	..	37	60	47	
"	20	..	37	57	41	Creek broke.
"	21	..	38	57	45	
"	22	..	44	53	55	River broke.
"	23	..	44	56	41	
"	24	..	48	61	42	
"	25	..	45	67	..	
"	26	..	46	60	53	

Date.			Temperature.			Remarks.
			7 A.M.	1 P.M.	7 P.M.	
			Degrees.	Degrees.	Degrees.	
1894.						
May	27	..	55	69	52	
"	28	..	46	60	..	
"	29	..	36	50	41	
"	30	..	44	..	45	
"	31	..	..	57	..	
June	1	..	43	53	..	
"	2	..	46	57	56	
"	3	..	47	59	..	
"	4	..	50	51	46	
"	5	..	43	60	55	
"	6	..	47	63	53	
"	7	..	53	63	59	
"	8	..	43	40	57	Heavy rain all day.
"	9	..	41	54	58	
"	10	..	44	60	54	
"	11	..	45	59	57	
"	12	..	49	59	..	
"	13	..	51	..	52	
"	14	..	54	64	60	
"	15	..	53	67	..	
"	16	..	52	58	..	
"	17	..	49	63	..	
"	18	..	43	64	..	
"	19	..	51	65	60	
"	20	..	50	61	63	
"	21	..	49	63	60	
"	22	..	51	64	55	
"	23	..	48	59	47	
"	24	..	49	60	51	
"	25	..	50	61	53	
"	26	..	55	60	54	
"	27	..	54	65	49	
"	28	..	53	70	58	
"	29	..	57	70	66	
"	30	..	56	71	63	
July	1	..	56	70	63	
"	2	..	58	69	50	
"	3	..	59	68	51	
"	4	..	49	58	53	
"	5	..	56	59	54	
"	6	..	53	56	47	
"	7	..	48	47	43	
"	8	..	50	56	55	
"	9	..	58	70	65	
"	10	..	54	63	55	
"	11	..	57	67	63	
"	12	..	56	76	65	
"	13	..	55	73	52	
"	14	..	53	58	53	
"	15	..	50	57	56	
"	16	..	51	63	59	
"	17	..	53	57	54	
"	18	..	51	63	53	
"	19	..	50	64	57	
"	20	..	53	67	57	
"	21	..	48	69	61	
"	22	..	54	68	60	
"	23	..	52	70	63	
"	24	..	51	69	59	
"	25	..	50	67	51	
"	26	..	52	56	52	
"	27	..	49	67	54	
"	28	..	53	60	54	
"	29	..	55	62	57	
"	30	..	53	63	54	
"	31	..	48	65	..	
August	1	..	52	..	..
"	2	..	47	59	54	
"	3	..	51	60	52	

Date.	Temperature.			Remarks.
	7 A.M.	1 P.M.	7 P.M.	
	Degrees.	Degrees.	Degrees.	
1894.				
August 4 ..	60	69	64	
" 5 ..	57	64	58	
" 6 ..	54	57	54	
" 7 ..	52	59	56	
" 8 ..	48	65	61	
" 9 ..	51	56	51	
" 10 ..	54	64	60	
" 11 ..	52	66	59	
" 12 ..	54	70	65	
" 13 ..	52	72	60	
" 14 ..	52	70	65	
" 15 ..	49	..	64	
" 16 ..	57	63	52	Storm, heavy rain, and north-west gale.
" 17 ..	45	61	52	
" 18 ..	43	54	50	
" 19 ..	46	53	50	Heavy rain.
" 20 ..	46	58	48	
" 21 ..	36	54	48	
" 22 ..	42	54	44	
" 23 ..	40	59	48	
" 24 ..	42	55	44	38 at 6 A.M. White frost.
" 25 ..	38	58	56	
" 26 ..	37	61	52	

No. 13.

Foreign Office to Colonial Office.

Sir,

Foreign Office, July 19, 1895.

I AM directed by the Marquess of Salisbury to transmit to you copy of a despatch from Lord Gough,* inclosing copies of a telegram from the Governor-General of Canada and of a Report of the Canadian Privy Council respecting the administration of the region drained by the Yukon River.

I am to request that Lord Salisbury may be favoured with Mr. Secretary Chamberlain's views on the suggestion made by the Canadian Government that the United States' Government should be approached with a view to co-operation in fixing the boundary of the Yukon district.

It is requested that the inclosures to Lord Gough's despatch may be returned when done with.

I am, &c.

(Signed) FRANCIS BERTIE.

No. 14.

Colonial Office to Foreign Office.—(Received July 31.)

Sir,

Downing Street, July 31, 1895.

IN reply to your letter of the 19th instant, inclosing a copy of a despatch from Lord Gough respecting the proposals of the Dominion Government for the fixing of the position of the 141st meridian which constitutes the boundary between British and American territory in Alaska, I am directed by Mr. Secretary Chamberlain to acquaint you, for the information of the Marquess of Salisbury, that the proposals of the Dominion Government appear to him to be reasonable, and that he trusts that Her Majesty's Chargé d'Affaires at Washington will be instructed to press them on the United States' Government.

The inclosures in Lord Gough's despatch are returned herewith, as requested.

I am, &c.

(Signed) EDWARD WINGFIELD.

No. 15.

The Marquess of Salisbury to Viscount Gough.

(No. 131.)

My Lord,

Foreign Office, August 5, 1895.

WITH reference to your despatch No. 175 of the 5th ultimo, respecting the proposal of the Canadian Government for a joint delimitation of the Yukon district boundary, I have to request that you will press the United States' Government to take the steps suggested in the Report of the Canadian Privy Council.

I am, &c.

(Signed) SALISBURY.

No. 16.

Foreign Office to Colonial Office.

Sir,

Foreign Office, August 5, 1895.

I AM directed by the Marquess of Salisbury to inform you that, in accordance with Mr. Secretary Chamberlain's suggestion, as stated in your letter of the 31st ultimo, Her Majesty's Chargé d'Affaires at Washington has been requested to press the United States' Government to take steps for a joint delimitation of the boundaries of the Yukon district.

I am, &c.

(Signed) T. H. SANDERSON.

No. 17.

Viscount Gough to the Marquess of Salisbury.—(Received September 7.)

(No. 208.)

My Lord,

Newport, Rhode Island, August 22, 1895.

ON receipt of your Lordship's despatch No. 131 of the 5th instant respecting the proposal of the Canadian Government for a joint delineation of the Yukon district boundary, I addressed a note to Mr. Olney on the subject in accordance with your Lordship's instructions. Copy of this note I now have the honour to inclose.

I have, &c.

(Signed) GOUGH.

Inclosure in No. 17.

Viscount Gough to Mr. Olney.

Sir,

Newport, Rhode Island, August 20, 1895.

THE recent development of the mineral resources of the country drained by the Yukon River, and the growing importance of the administration of that region, have rendered it highly desirable that the precise limits of the jurisdiction of the United States and the Dominion respectively should be more exactly determined than has hitherto been the case. With this object the well-known surveyor, Mr. William Ogilvie, who in 1887-88 conducted a survey of this tract of country on behalf of the Canadian Government, and determined the point of intersection of the 141st meridian of longitude (the Treaty boundary-line between Alaska and Canada) and the Yukon River, has been instructed to proceed with the determination of that meridian with all convenient speed.

Her Majesty's Government are desirous of securing the co-operation of the United States in this important work; and I would venture to suggest that such co-operation might, if the United States' Government see fit, be given in one of two forms: first, and preferably, the appointment of a surveyor to act jointly with Mr. Ogilvie in determining so much of the line as may be found necessary for the purpose of defining the territory of the two countries at the points where the administration of public affairs actually requires this to be done; or, secondly, if the

co-operation of the United States in surveying the line cannot be had at this stage, that the demarcation of it, which will be made on the ground by Mr. Ogilvie, should be recognized by both countries for the present—without prejudice, however, to the rights of either party when, at a later stage, a joint delimitation of the line shall be made.

I am to point out that a precedent for the second of these alternative courses occurred in 1877, when the boundary between the possessions of the two countries on the Stikine was surveyed by a Canadian officer, Mr. Joseph Hunter, and accepted by both on the conditions now suggested in respect to the Yukon. In the event of the latter alternative being adopted, it is thought that the United States' Government would perhaps be willing to share the cost of the preliminary survey.

In having the honour to bring before you the desire of Her Majesty's Government for the co-operation of the Government of the United States in this survey of boundaries, I have the honour to add that the Convention entered into at Washington in 1892 for a joint or coincident survey of the territory adjacent to the boundary between Alaska and the north-west territories of Canada has relation only to the southern part of the said boundary, and not to the part of the boundary referred to in my present note.

I have, &c.
(Signed) GOUGH.

No. 18.

Viscount Gough to the Marquess of Salisbury.—(Received September 7.)

(No. 210.)

My Lord,

Newport, Rhode Island, August 28, 1895.

WITH reference to my despatch No. 175 of the 5th ultimo and to previous correspondence on the subject of the delimitation of the territory drained by the Yukon River, I have the honour to transmit to your Lordship herewith two extracts from the "Transcript," a respectable paper published in Boston, of the 22nd and 23rd instant respectively, which seem to indicate that the question is likely to attract considerable attention in this country. The earlier of these passages contains an account of an interview with a Jesuit Father, Mr. Barnham, recently returned from Alaska, who fears that serious trouble may arise between the American miners and the detachment of Canadian police recently stationed at Forty-Mile Creek, and suggests that the survey proceedings now in progress may result in the United States being unjustly deprived of territory. The extract of the 23rd instant gives the observations of General Duffield, Superintendent of the Coast and Geodetic Survey, on Father Barnham's opinions. General Duffield states that he has been informed by the Canadian Boundary Commissioner, Mr. King, that no surveying operations are actually in progress on the land in question, and that he and Mr. King do not propose to visit the Yukon region before next October.

I have, &c.
(Signed) GOUGH.

Inclosure 1 in No. 18.

Extract from the "Transcript" of August 22, 1895.

IN an interview last night, Father Barnham, S.J., who has just returned from Alaska, said regarding the boundary between British Columbia and Alaska—England has a surveying party up there now running a new line to suit herself. These engineers are not on a junketing tour to amuse themselves; they are working hard. They have a magnificent equipment, and have already accomplished a great deal. Unless we have gumption we shall lose an immense slice of south-eastern Alaska. They will steal Glacier Bay and some grand harbours. We have not paid enough attention to this question. Alaska, until a few years ago, used to be called "Seward's Ice Chest." Little or nothing was known about the country, and the people here did not take interest enough in it to think about it. We are cut off by the General Congress. We have no right representation, and what is needed now is a man who

will rise up and bring this question in the full magnitude of its importance before the people.

Arbitration? We always lose in arbitration. We lost in the San Juan question. The 60-mile limit in the Behring Sea was nonsensical. We lost there, too. I suppose the English will decide on a boundary of their own between Alaska and Canada. Then we will howl. Canada will howl, too, and there must be arbitration, of course. Now, why do the English make this move at this late day? Since 1841, the boundary was a settled fact. It was never disputed when the territory belonged to Russia, and was known as Russian America. It is still on all the English maps, which shows that it was accepted by England through all these years, and to ask for arbitration now on a new line is nothing but impertinence. At Forty-Mile Creek, where there never has been trouble of any kind, a detachment of Canadian police was stationed recently, and Father Barnham said he expected serious trouble this coming winter between the American miners and the Canadian officers.

Tremendous Interests involved.

In 1867 the United States purchased Alaska from Russia, paying for it 7,200,000 dollars. England did not then raise a question as to the boundary, and up to 1889, a term of fifty-nine years—forty-two years under Russian ownership and seventeen years under United States' control—the Alaskan boundary was never questioned, but in all maps, charts, and British official matters this boundary-line was shown and represented as American maps and official documents still hold it. In 1884 the Dominion of Canada on its maps changed the Alaskan boundary-line to suit its own purpose, the British Government recognized Canada's claim, and at the instigation of Her Majesty's Government the United States, on the 22nd July, 1892, appointed a Commission for the purpose, as set forth in Article I of the Convention agreed upon—

“Providing for the delimitation of the existing boundary between the United States and Her Majesty's possessions in North America, in respect to such portions of said boundary-line as may not in fact have been permanently marked in virtue of Treaties heretofore concluded.”

The time allowed to complete surveys and submit final reports ended the 28th November, 1894, but final reports are to be submitted by each of the “High Contracting Parties” 31st December, 1895. The disputed lands are in the south-eastern division of Alaska, in what is known as the Panhandle of that vast Empire. The claim set up by the British Government in brief is that instead of Portland Channel, Behm Channel, the first inlet west of Portland Channel, was meant; and, starting from this point, the line of demarcation includes an area about 600 miles in length, and of varying widths up to 150 miles, including about 100 miles of sea-coast, with its harbours and the islands adjacent thereto. The value of the strip is almost inestimable. Alaska last year in her fish canneries alone did a business of fully 3,000,000 dollars, the greater part of which business is in the disputed Alaskan territory. The untouched forests of this section are greater than any in the United States. Besides this, there are large deposits of copper, iron, coal, and marble. The population is now 35,000, of which number about two-thirds are in this disputed division. The army of men who are working into the interior or main part of Alaska come by steamer to Chilkat, and thence follow a trail a distance of 40 miles to Forty-Mile Creek, where they built rafts and float down the Yukon River, a distance of 600 miles to the inland gold-fields. If the English claims to territory are made good these head-quarters will become their possessions, and the harbours now in American hands will fly the British flag, and she will control the way to the interior of Alaska. The acquisition of the coal-fields of Alaska by England is of far more importance than may be appreciated by the apparently indifferent Americans. To make this matter plainer, it is well to call attention to the fact that the only coal supply station now open to the United States on the Pacific coast is on Puget Sound, while England, through the Dominion of Canada, has vast coal-fields in British Columbia. The United States would also lose the famous Treadwell mining property, the Hayward Lane property, which is undoubtedly the richest mining property in the world, and the Silver Bow property.

San Francisco, California, August 22, 1895.

Inclosure 2 in No. 18.

Extract from the " Transcript " of August 23, 1895.

GENERAL DUFFIELD, Superintendent of the Coast and Goedetic Survey, said last night that he placed but little credence in the report that England had a surveying party running a line of her own to determine the boundary between Alaska and British Columbia.

"It was only a few days ago, 10th August, to be exact," said General Duffield, "that I met Mr. King, the Canadian Boundary Commissioner, by appointment in Rochester, for the purpose of conferring about this boundary survey and arranging our plans for the future. I know that Mr. King has not been in Alaska during the present year, and he informed me that none of his party was in the field. For that reason I am confident no surveyors are now at work on the line, but even if they were it would make little difference. The boundary-line is fixed by Treaties between this country and Great Britain and between Russia and Great Britain. The work of the surveyors is to definitely mark the lines laid down by those Treaties. We have an engineering party engaged in that labour, and so have the English, and the surveys are being made as rapidly as the appropriations and the seasons will permit. When the work is completed a report will be made to the respective Governments. Mr. King and myself will visit the scene of the work in October, but when the survey will be completed is a question that cannot now be answered."

Washington, August 23, 1895.

No. 19.

Viscount Gough to the Marquess of Salisbury.—(Received September 11.)

(No. 51.)

(Telegraphic.) P.

Newport, Rhode Island, September 11, 1895.

I HAVE received a note from the United States' Government inquiring whether the proposed survey of the Alaska boundary, referred to in your Lordship's despatch No. 131 of the 5th August, could not be delayed so as to give Congress an opportunity of acting on the proposition made in the alternative by Her Majesty's Government for a joint survey, and of making the necessary appropriations of money.

The Department of State would undertake that if the survey can be so delayed the matter will be brought before Congress immediately upon its meeting.

Am I authorized to communicate to the Governor-General of Canada the substance of this note?

No. 20.

Colonial Office to Foreign Office.—(Received September 12.)

Sir,

Downing Street, September 12, 1895.

WITH reference to your letter of the 12th instant, inclosing copy of a telegram from Viscount Gough on the subject of the proposed delimitation of the Yukon district, I am directed by Mr. Secretary Chamberlain to request you to inform the Marquess of Salisbury that he has no objection to the note of the United States' Government, referred to by Lord Gough, being communicated direct to the Governor-General of Canada.

I am, &c.

(Signed) JOHN BRAMSTON.

No. 21.

Viscount Gough to the Marquess of Salisbury.—(Received September 21.)

(No. 218.)

My Lord,

Newport, Rhode Island, September 11, 1895.

WITH reference to my despatch No. 208 of the 22nd ultimo, I have the honour to inclose herewith copy of the reply which I have received from the Acting Secretary of State to the note which I addressed to the United States' Government on the 20th ultimo on the subject of the delimitation of the portion of Alaska drained by the Yukon River.

Mr. Adeë inquires whether the proposed survey could not be postponed until Congress has met and has had an opportunity of deciding upon the alternative proposal of Her Majesty's Government for a joint survey, and of making the necessary appropriation of money. The Department of State would in that case undertake that the matter would be brought before Congress immediately upon its assembling.

I had the honour to inform your Lordship of Mr. Adeë's inquiry by my telegram No. 51 of this day's date, at the same time asking your Lordship's consent to my communicating the note of the United States' Government to the Governor of Canada.

I have, &c.

(Signed) GOUGH.

Inclosure in No. 21.

Mr. Adeë to Viscount Gough.

My Lord,

Department of State, Washington, September 6, 1895.

A RESPONSE to your note of the 20th August last has been deferred by reason of the consideration necessarily to be given to the important proposition of Her Majesty's Government, that a provisional determination of convenient points on the 141st meridian, which forms the Treaty boundary-line between Alaska and Canada, should be agreed upon between the two Governments, without prejudice, however, to the rights of either party when at a later stage a joint delimitation of the line shall be made.

In view of the suggestion of your note, that the Government of the United States would perhaps be willing to share the cost of the preliminary survey heretofore made, and now making, by Mr. William Ogilvie, and of the fact that action by Congress would be necessary to confirm and carry out an understanding in that regard, I have the honour to inquire whether the proposed survey could not be delayed until after Congress has had an opportunity to act upon the alternative proposition for a joint survey, and to make the proper appropriation therefor. If it could be so delayed, the Department of State would undertake to bring the matter to the attention of Congress immediately upon the assembling of that body.

I have, &c.

(Signed) ALVEY A. ADEE,
Acting Secretary.

No. 22.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received December 28.)

(No. 273.)

My Lord,

Washington, December 17, 1895.

WITH reference to my despatch No. 259 of the 19th instant* and to previous correspondence on the subject of the Yukon Boundary question, I have the honour to forward herewith to your Lordship copy of a letter from the Acting Secretary of the Treasury to the Speaker of the House of Representatives.

The Acting Secretary transmits a communication from the Secretary of State submitting an estimate of appropriation for survey of the boundary-line between Alaska and British Columbia.

* Transmitting Extracts from Press.

Mr. W. W. Duffield, Superintendent of the United States' Coast and Geodetic Survey, in addition to his estimate for 5,000 dollars which was included in his annual estimates, suggests that Congress be asked to appropriate the additional sum of 50,000 dollars for the continuance of the survey; the said sum to be made available until expended.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 22.

54th Congress, 1st Session.—Document No. 40.

HOUSE OF REPRESENTATIVES.

SURVEY OF BOUNDARY-LINE BETWEEN ALASKA AND BRITISH COLUMBIA.

Letter from the Acting Secretary of the Treasury, transmitting a Communication from the Secretary of State, submitting an Estimate of Appropriation for Survey of the Boundary-line between Alaska and British Columbia.

December 9, 1895.—Referred to the Committee on Appropriations, and ordered to be printed.

Sir,

Treasury Department, December 6, 1895.

I HAVE the honour to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of State, under date of the 26th November, 1895, submitting an estimate of appropriation in the sum of 50,000 dollars in connection with the survey of the boundary-line dividing Alaska from British Columbia and the north-west territory of Canada.

Respectfully yours, &c.
(Signed) S. WIKE, *Acting Secretary.*

The Speaker of the House of Representatives.

Sir,

Department of State, Washington, November 26, 1895.

I have the honour to inclose herewith copy of a letter from Mr. W. W. Duffield, Commissioner of the United States under the Treaty with Great Britain of the 22nd July, 1892, providing for a joint survey of the territory adjacent to the boundary-line dividing Alaska from British Columbia and the north-west territory of Canada, in which he suggests that, in view of the possible necessity of running definite lines of demarcation on the Upper Yukon and its tributaries, and for providing for the contingency of surveys which may be required along the boundary in unforeseen localities, Congress be asked to appropriate the sum of 50,000 dollars for the objects specified, said sum to be made available until expended.

The determination and marking of the 141st meridian in that part which by Treaty forms the boundary between Alaska and British Columbia is not provided for by any existing Treaty, and negotiations to that end may probably be begun in the near future. For this reason, and to permit prompt execution of the arrangement when reached, the suggested appropriation of 50,000 dollars is recommended.

I have, &c.
(Signed) RICHARD OLNEY.

The Secretary of the Treasury.

United States' Coast and Geodetic Survey,

Washington, D.C., November 23, 1895.

Sir,

Having in view certain surveys relating to the boundary between Alaska and British Columbia, I submitted to the Honourable Secretary of the Treasury an estimate of 5,000 dollars for the continuation of the boundary surveys in Alaska in my annual estimates.

In view, however, of the possible necessity of running definite lines of demarcation on the Upper Yukon and its tributaries, and for providing for the contingency of surveys, which may be required along the boundary in unforeseen localities, in furtherance of an international agreement, I have the honour to submit for your consideration the suggestion that Congress be asked to appropriate the additional sum of 50,000 dollars for the objects specified, said sum to be made available until expended.

Very respectfully, &c.
(Signed) W. W. DUFFIELD,
Superintendent.

The Secretary of State, Washington, D.C.

Printed for the use of the Foreign Office. March 1897.

CONFIDENTIAL.

(6868.)

PART VIII.

FURTHER CORRESPONDENCE

RESPECTING THE

BOUNDARY BETWEEN THE BRITISH POSSESSIONS IN
NORTH AMERICA

AND THE

TERRITORY OF ALASKA.

1896.

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CONFIDENTIAL.

Further Correspondence respecting the Boundary between the
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PART VII.

No. 1.

Colonial Office to Foreign Office.—(Received January 7.)

Sir,

Downing Street, January 7, 1896.

IN reply to your letter of the 1st instant, forwarding copies of a communication from Mr. Alexander Begg respecting the boundary between British Columbia and Alaska, I am directed by Mr. Secretary Chamberlain to acquaint you, for the information of the Marquess of Salisbury, that copies of these papers have already been received from Mr. Begg by this Department, and have been forwarded to the Dominion Government.

I am accordingly to suggest that Mr. Begg should be informed that this has been done, and that any further communication on the question should be addressed direct to the Canadian Government, as all measures connected with the delimitation of the boundary are being conducted by them.

I am, &c.
(Signed) JOHN BRAMSTON.

No. 2.

Foreign Office to Colonial Institute.

Sir,

Foreign Office, January 10, 1896.

I HAVE laid your letter and its inclosures relating to the boundary between British Columbia and Alaska before the Marquess of Salisbury.

His Lordship learns from Her Majesty's Secretary of State for the Colonies, to whom your communication has been referred, that copies of the documents which accompanied it have already been forwarded to the Canadian Government.

In these circumstances, whilst thanking you for the information contained in your letter, I am directed by Lord Salisbury to suggest that any further communication which you may desire to make on the matter should be addressed to the Canadian Government, as all measures connected with the delimitation of the Alaska boundary are being conducted by them.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 3.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received January 16.)

(No. 8.)

My Lord,

Washington, January 7, 1896.

WITH reference to my despatch No. 273 and to previous correspondence relative to the proposed delimitation of a certain portion of the boundary between Alaska and Canada, where that boundary is formed by the 141st meridian of longitude, I have the honour to transmit herewith the report of a speech delivered in the Senate on the 3rd instant by Mr. Squire, Senator from California, introducing a Resolution for the appropriation of a sum of 75,000 dollars to the expenses of the survey.

Your Lordship will observe that the Resolution contemplates a joint survey by an International Commission, as proposed by Lord Gough as the preferable alternative in his note to the United States' Government of the 20th August last, although the United States' Government have not as yet formally signified their agreement to that proposal.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 3.

Extract from the "Congressional Record" of January 3, 1896.

The Alaskan Boundary.

Mr. Squire.—I introduce a Joint Resolution, and ask that it be read at length.

The Joint Resolution (S. R. 39), making an appropriation to defray the joint expense of locating the boundary-line between the Territory of Alaska and the British North American territory, was read the first time by its title and the second time at length, as follows :—

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that in view of the expediency of forthwith negotiating a Convention with Great Britain for marking convenient points upon the 141st meridian of west longitude, where it forms, under existing Treaty provisions, the boundary-line between the Territory of Alaska and the British North American territory, and to enable the President to execute the provisions of such Convention without delay, when concluded, the sum of 75,000 dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any moneys in the Treasury not otherwise appropriated, to be immediately available, under the direction of the President, to defray the share of the United States in the joint expense of locating said meridian and marking said boundary by an International Commission.”

Mr. Squire.—Mr. President, I will state, in explanation of the Joint Resolution, that the people of the Pacific Coast desire a speedy settlement of the boundary question in Alaska. I have had representations made to me on that subject of the most urgent character. People whose homes are in the State of Washington are engaged in mining in the Territory of Alaska. They are engaged in transporting supplies for their subsistence while conducting their operations in mining. Others are engaged in trading as merchants between the ports on Puget Sound and the ports of Alaska.

From a Report published by the Coast Survey in 1893 I quote the following extracts, as showing the extent and importance of this great territory :—

“It is regrettable that our sources of information for late Alaskan statistics are confined to the brief summaries of the Governor's Reports, and that for a comprehensive study of all the wealth-producing industries of the territory, we have to go to the publications of the Census for 1890.

“The extraordinary growth of this but partially-explored territory, with its valuable resources on land and the almost limitless wealth in its waters, demands greater attention than has heretofore been accorded it, and makes imperative that general and comprehensive aids to its navigation and commerce be supplied.

"This vast region contains about 600,000 square miles, being about twelve and a-half times the area of the State of New York. It has approximately 26,000 miles of shore line, which exceeds that of the Atlantic, Pacific, and Gulf coasts of the United States by over 11,200 miles, while the islands along its coast are estimated to be 1,100 in number. A course parallel with the trend of its shore from Cape Muzon, its most southerly point, to Point Barrow, its most northerly one, is about 2,800 miles. The Aleutian chain of islands is about 1,100 miles long, and Attu, the most westerly one of this group, is about 2,200 miles west of Sitka.

"There are immense forests in Alaska, densely covering every part of the country, and climbing steep mountain sides to heights of 2,000 and 2,500 feet above sea level, and which extend as far west as Kadiak Island, being a continuous stretch of 1,000 miles.

"They consist mainly of spruce, hemlock, and cedar, one variety of the latter, the yellow, being very valuable in the construction of small vessels on account of its durable qualities.

"The commerce of Alaska is and doubtless always will be carried on by water, owing to the peculiar formation of the country; and being so varied and largely conducted by non-residents and by vessels hailing from so many different ports, it is difficult to obtain an exact idea of its extent. The internal commerce is carried on through about 126 agencies, located in 104 towns and settlements, situated along its coast and among its islands.

"The exports consist mainly of furs, ivory, Indian curios, gold and silver bullion and ore, and the products of the whale, cod, and salmon fisheries.

"During the earlier occupancy of the country its commerce depended almost exclusively on the fur trade, but since other industries dependent upon the actual necessities of man sprang up this important factor, although of great value, has already fallen to a third place in importance. From 1868 to 1891 the total value of the furs exported is estimated at 50,124,500 dollars, and the annual yield for the last-mentioned year amounted to about 1,605,000 dollars.

"In 1892 there were sixteen gold and silver mines in operation, and up to that date the total output amounted to about 6,000,000 dollars. The traffic dependent upon the necessities of the small army already engaged in this comparatively new enterprise is considerable, and will undoubtedly increase.

"The salmon industry commenced in 1878, and from that date up to 1890 the pack had amounted to 9,612,000 dollars. In 1878 the entire product was valued at 59,416 dollars, while that of 1890 was 2,731,000 dollars. The salmon-canning industry of this country is confined to the waters of California, Oregon, Washington, and Alaska. In years past the Columbia River has been the principal source of supply, but the run in all the sections south of British Columbia has become smaller from year to year. In the year 1887 the total pack for the entire Pacific Coast was 969,200 cases, of which the Columbia River furnished 430,000. In 1890 the output of the western coast was about 1,223,955 cases, of which Alaska alone furnished 688,322, or more than half the entire product of the United States. The capital invested in the Alaska salmon fisheries, including permanent improvements, vessels, &c., is something more than 4,000,000 dollars. There were, in 1890, thirty-seven canneries between Dixon Entrance and Bristol Bay, twenty-five of which are west of Sitka, and about 6,000 persons were employed during the fishing season, using sixty-six vessels for the purpose.

"Judging from the rate of increase during the past ten years and the enormous field yet to be developed, the commerce depending upon this single industry will be one of the most notable interests of the Pacific Coast. Three-fourths of it is now beyond the region reconnoitred, and is rapidly crowding northward into unchartered localities enormously rich in fish. It is interesting to note that the two newer industries, mining and salmon fishing, have grown so rapidly that while in 1880 both these industries were insignificant and completely overshadowed by the fur trade, by 1890 their products amounted in value to 15,000,000 dollars, or more than twice the purchase price of the territory.

"The Pacific and Arctic whaling catch, though not confined strictly to Alaskan waters, is conducted by American vessels, and all but a very small percentage of it is secured in waters contiguous to the Alaskan coast. The total value of oil, bone, and ivory of the catch between 1874 and 1890 was 11,204,465 dollars. There are about fifty vessels engaged in this industry, their port of call being Port Clarence. The charts of the tracts and rendezvous of these vessels are simply compilations of early explorations, and are very crude and inaccurate.

"Of the food fish of Alaska the cod-fish stand next in commercial importance to the

salmon. The eastern part of Behring Sea is a great reservoir of cod, and the area within the limits of 50 fathoms depth is no less than 18,000 square miles. In this sea fishing must be done as it is off Newfoundland, without harbours of refuge, but in a much less depth of water. The fishing banks along the south shores of the Aleutian chain will add about 45,000 more square miles, making a total of 63,000 square miles, this being about four times the area of the banks in the region of Newfoundland. Though over twenty years have elapsed since the inception of this industry, it must still be considered in its infancy. The value of the catch during the last twenty-seven years has amounted to about 8,900,000 dollars. It is carried on without regard to the abundant supply, but solely in accordance with the demands of the local and limited market on the Pacific Coast of America.

"It is evident, with the numerous trans-continental railways and with the increasing population along their lines and growing tributaries, that the demand will constantly and permanently increase, so that this interest will alone crowd the waters of the Gulf of Alaska and Behring Sea with sails."

In this Report too much stress is not laid on the importance of the fishing industry alone, and this will be appreciated if we reflect that a great historical fact has been epitomized in the statement that "Amsterdam is built on herring bones."

Sundry questions have arisen to cause grave solicitude and anxiety on the subject of the boundary-line. It has even been intimated to me that there is a strong probability that some conflict or strife may take place between the miners I have referred to or the others who are engaged in taking in supplies and those who would collect duties from them on the frontier.

Mr. President, I believe that this question is an important one; even more important, perhaps, than the decision of the Venezuelan boundary, because this question relates to the boundaries of our own country. It relates to peace between our own citizens and the citizens of the adjoining British possessions. In my judgment, it is the duty of this Congress to facilitate in every proper way the adjustment of the question relating to this boundary-line.

It may be appropriate to give here a brief sketch of the history of the boundary survey. In 1872 General Grant, then President of the United States, anticipating that a postponement of the definite marking of the boundary might involve future disputes, recommended in his Annual Message the creation of a Commission for settling the boundary-line. But the matter was allowed to drop, and nothing was done until President Cleveland, about fifteen years later, again brought the subject forward by a reference to it in his Message.

In 1887 the Department of State inserted an item of 100,000 dollars in the Estimates for a preliminary survey of the boundary, but on this item no action was taken.

In 1888, however, an appropriation of 20,000 dollars was made for a preliminary survey, to be conducted by the Coast and Geodetic Survey in accordance with projects to be approved by the Secretary of State. Under this Act, two parties were organized in the spring of 1889 to ascend the Yukon and its affluent, the Porcupine, to determine by astronomical observations the intersection of the 141st meridian with these rivers. The party on the Porcupine accomplished its purpose during the following winter, while the party on the Yukon was compelled by adverse circumstances to spend two winters there.

Small appropriations were annually made under the same wording as the Act of the 2nd October, 1888, referred to above, until the year 1892, when a Convention was concluded at Washington, on the 22nd July, 1892, for conducting a coincident or joint survey, "with a view to the ascertainment of the facts and data necessary to the permanent delimitation of said boundary-line," that is, from latitude $54^{\circ} 40'$ north to the point where it encounters the 141st meridian west of Greenwich.

Under this Convention, Commissioners were appointed by the Governments of the United States and Great Britain respectively.

It was prescribed that the Commissioners should complete their duties within two years from the date of their first meeting, but as this was found impracticable the time was extended to the 31st December, 1895, by Supplementary Convention of the 3rd February, 1894.

The total amount appropriated under this Convention was 60,000 dollars, and the surveys were conducted on behalf of the United States under the direction of the Superintendents of the Coast and Geodetic Survey.

The Alaskan boundary is conveniently divisible into two sections: the first where it follows the contour of the coast from the southernmost point of Prince of Wales Island

until it strikes the 141st meridian at or near the summit of Mount St. Elias; the second where it is formed by the 141st meridian, which it follows from that intersecting point to the frozen ocean.

The determination of the exact limits of the first coastwise section is in progress, or has been in progress until recently, through a preliminary survey by American and British expeditions acting separately or coincidentally, as convenience might dictate, under the provisions of the Convention of the 22nd July, 1892, and the Supplementary Convention of the 3rd February, 1894, between the United States and Great Britain. The object of this preliminary survey has been to obtain for the information of their respective Governments affirmative data from which they may by Conventional Agreement determine the true boundary described in the Anglo-Russian Treaty of 1825, and redescribed in the 1st Article of the Treaty between the United States and Russia of March 1867, whereby the Russian Territory of Alaska was ceded to this country.

As before stated, this preliminary examination had been taking place until the 31st day of December, 1895, to which date it was extended by Supplementary Convention of the 3rd February, 1894. It seems that, referring to the President's Message, a further extension of time will be necessary, as well as an additional appropriation, for the completion of this work.

It has been erroneously stated in the public prints, as I am informed upon good authority, that some Agreement has been signed by the respective Commissioners in the past few days. This seems to be a misapprehension. These Commissioners were not created for the purpose of coming to any agreement. They had no power relative to coming to any such agreement so as to bind their Governments. They were simply to examine and report for the information of their respective Governments, and to furnish the necessary data to afford the basis for a Treaty between the United States and Great Britain relative to the south-eastern boundary of Alaska. I doubt not there should be an appropriation for the continuation of the work of the Commission, and I believe it is expected that the present Commission will be continued by a Convention between the two Governments extending the term of its existence and its labours.

As the Alaskan Coast is steadily becoming settled, and an extensive development of interests of great magnitude is taking place, it seems needful that provision be made for the settlement of both these boundary questions. The second question, and the one to which the Joint Resolution refers more particularly, is in relation to the 141st meridian. It seems, as to this, that all the preliminaries are completed, so that a Conventional Agreement can now be made between the United States and Great Britain. The theoretical existence of this boundary on the 141st meridian is an undoubted fact, and is not at all in question, but the physical location of the boundary-line remains to be established. I am informed by those who have given this subject great attention that the ascertainment of a given meridian at any given point is a work depending upon the precision of the scientific instruments employed and the accuracy of the astronomical and geodetic observation, so that it needs much time and care to reduce the remaining amount of error to so small a degree that it will be practically immaterial and of no consequence. Such observations and surveys were undertaken by the United States' Coast and Geodetic Survey in 1890 and 1891, and the points where the 141st meridian crosses the Yukon River, also where it intersects Forty-Mile Creek, and again where it passes by the summit of Mount St. Elias, have been marked with some degree of accuracy. Similar surveys in some quarters under British auspices are believed to give nearly coincident results. I am informed that there is a difference of perhaps not more than 450 feet between the location by the respective Governments on the Yukon River where that is intersected by the 141st meridian, and that there is but a slight difference at the intersection of the meridian with what is known as Forty-Mile Creek, where active mining operations are conducted.

It seems to be practicable to reach an agreement along this line, inasmuch as the difference is so slight.

These surveys by the respective Governments have been independently conducted, and no international agreement has yet been made to mark those or any other parts of the 141st meridian by permanent monuments.

The going in of the miners and the development of the country has been such that the valley of the Yukon is becoming a highway through the hitherto unexplored wilds of Alaska.

This region has great mineral resources recently discovered, especially at or near the junction of the boundary meridian of the Yukon and its tributaries. What is known as the Porcupine River is another of the tributaries upon which surveys have been made. The outposts of civilization and enterprise are springing up, and under these

circumstances it seems exceedingly important, and, indeed, necessary, that the jurisdictional limits of the respective Governments in this new region should be determined. It is understood that Her Britannic Majesty's Government has already proposed a joint delimitation of the 141st meridian by an international Commission of experts, and if Congress should create this Commission, and make provision therefor, the necessary result can be accomplished with no unreasonable delay by means of the Convention which is contemplated to that end.

I fear that there has been at times a degree of indistinctness in the conception of my fellow citizens in regard to the Alaskan boundary question. There has been a mixing of the two separate and distinct questions, the one relating to the 141st meridian, and the other relating to the line starting from the southernmost end of Prince of Wales Island, and following along the contour of the coast. I mean the mainland at a distance of not more than 30 geographical miles from the ocean. There has been a degree of uncertainty and confusion in the public mind on this subject—a commingling of the questions. They are easily separated. The question that is dealt with in the Joint Resolution I have introduced this morning relates solely to the boundary-line along the 141st meridian. As to the other question, I understand that the examination which has been made by the Commission in reference to south-eastern Alaska is purely preliminary, and relates principally to the character and description of the region.

The people of the city in which I reside have recently forwarded to me a very carefully prepared Report, going into the history of this whole Alaskan boundary question. It shows the interest of my people in this question. It has been prepared with much care and research. I deem it to be of great value and interest at the present time when this subject is so prominent in the public mind. I believe there is one error in the paper toward the close, in which it is stated that it is understood that the Reports provided for by the Convention referred to “have been submitted to the respective Governments and await further action, in pursuance of the terms of the Convention of 1892 and the Supplemental Convention of 1894.” The Report of the Commission may have been presented to the Canadian Government, but I have to-day learned that it has not yet been presented to the Government of the United States, and, as I before stated, this Report can only present data for the information of the respective Governments, upon which, when the entire examination shall be completed, the two nations may be duly advised, so as to enable them more intelligently to enter into a Treaty. With the exception of this paragraph, I believe the representations set forth in the following Report are mainly correct. I ask that the Report which was made by a Committee of the Chamber of Commerce of Seattle be appended and made part of my remarks.

The Vice-President.—It will be so ordered without objection.

The paper referred to is as follows:—

Alaskan Boundary: Supplemental Report.

To the Board of Trustees,

Chamber of Commerce, Seattle, Washington:

Gentlemen,

Since the Report submitted to your honourable body under date of the 1st April, 1895, the Committee has pursued its search for further information which would tend to assist the Government of the United States to firmly maintain the integrity of our Alaskan possessions. The boundary-line of the United States of America and the Dominion of Canada dividing the Territory of Alaska from the Province of British Columbia and the north-west territory of Canada has, by reason of its extraordinary length, developed two subjects for investigation, which may be pursued and determined separately, while the permanent delimitation of the entire boundary involves the satisfactory settlement of each. The one comprehends the physical location of the 141st meridian as produced northwardly from Mount St. Elias to the frozen ocean.

The controversy over the above-mentioned part of the boundary has, by the separate efforts of the Governments of the United States and Canada, been brought more nearly to a determination than that over south-eastern Alaska, and which, it appears to the Committee, will be attended with more vexatious incidents. This Report, therefore, is submitted in support of the eastern boundary of the strip which begins south of Mount St. Elias and runs south-easterly as far as Portland Channel, and which boundary it is emphatically contended has been conceded by Canada for more than sixty years, and certainly, as far as the investigation of the Committee has extended, has never been questioned by that Government until comparatively a recent date.

It is necessary, for a clear understanding of the points at issue, to carefully peruse the description of the boundary-line as expressly defined in Article I of the Convention concluded the 30th March, 1867, between the United States of America and Russia. The line of demarcation as set forth therein is as follows:—

“ARTICLE I.

“His Majesty the Emperor of all the Russias agrees to cede to the United States, by this Convention, immediately upon the exchange of the ratifications thereof, all the territory and dominion now possessed by his said Majesty on the Continent of America and in the adjacent islands, the same being contained within the geographical limits herein set forth, to wit: The eastern limit is the line of demarcation between the Russian and the British possessions in North America as established by the Convention between Russia and Great Britain of the 16th (28th) February, 1825, and described in Articles III and IV of said Convention in the following terms:

“Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of $54^{\circ} 40'$ north latitude, and between the 131st and the 133rd degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel as far as the point of the Continent where it strikes the 56th degree of north latitude; from this last-mentioned point the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude (of the same meridian); and, finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the frozen ocean.

“4. With reference to the line of demarcation laid down in the preceding Article, it is understood—

“1. That the island called Prince of Wales Island shall belong wholly to Russia (now, by this cession, to the United States).

“2. That whenever the summit of the mountains which extend in a direction parallel to the coast from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude shall prove to be at a distance of more than 10 marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this Convention) shall be formed by a line parallel to the winding of the coast, and which shall never exceed the distance of 10 marine leagues therefrom.”—(“United States’ Statutes at Large,” vol. xv, pp. 539, 540.)

The wording of the description of the boundary-line, as above given, is identical with that contained in the Convention between Russia and Great Britain of the 16th (28th) February, 1825, in Articles III and IV thereof, save the following words “(now, by this cession to the United States),” which occurs in the first paragraph of Article IV above.

The diplomatic language used in the Russian-English Convention of 1825 is here given, in order that the accuracy of the translation may be compared, and is as follows:—

“ARTICLE III.

“La ligne de démarcation entre les possessions des Hautes Parties Contractantes sur la côte du continent et les îles de l’Amérique nord-ouest, sera tracée ainsi qu’il suit:

“A partir du point le plus méridional de l’Île dite Prince of Wales, lequel point se trouve sous la parallèle du $54^{\circ} 40'$ de latitude nord, et entre le 131° et le 133° de longitude ouest (méridien de Greenwich). La dite ligne remontera au nord le long de la passe dite Portland Channel, jusqu’au point de la terre ferme où elle atteint le 56° latitude nord; de ce dernier point, la ligne de démarcation suivra la crête des montagnes situés parallèlement à la côte, jusqu’au point d’intersection du 141° de longitude ouest (même méridien); et, finalement, du dit point d’intersection la même ligne méridienne du 141° formera dans son prolongement jusqu’à la Mer Glaciale la limite entre les possessions Russes et Britanniques sur le continent de l’Amérique nord-ouest.”

“ARTICLE IV.

“Il est entendu, par rapport à la ligne de démarcation déterminée dans l'Article précédent :

“1. Que l'île dite Prince of Wales appartiendra tout entière à la Russie.

“2. Que partout où la crête des montagnes qui s'étendent dans une direction parallèle à la côte depuis le 56° de latitude nord au point d'intersection du 141° de longitude ouest, se trouverait à la distance de plus de 10 lieues marines de l'océan, la limite entre les possessions Britanniques et la lisière de côte mentionnée ci-dessus comme devant appartenir à la Russie, sera formée par une ligne parallèle aux sinuosités de la côte et qui ne pourra jamais en être éloignée que de 10 lieues marines.”

The subject of the controversy between Russia and Great Britain which culminated in the Convention of 1825, above referred to, was the celebrated Ukase of the 4th September, 1821, issued by the Emperor Alexander, and which prohibited foreign vessels not only from landing upon the coasts and islands of the north-west belonging to Russia, but also the coast and islands of Siberia, or to approach them in less than 100 Italian miles. It was intended to protect all commerce, whaling, and fishery at such places from foreign competition, as an exclusive franchise, in all such industries at such places, was thereby granted to Russian subjects.

Mention is here made of this Ukase because of the diplomatic correspondence which ensued and was carried on for several years between the British and Russian Governments, in which the settlement of this identical boundary-line was the most prominent subject of the controversy.

Throughout this most interesting correspondence the intent of the High Contracting Parties is clearly and unmistakably laid bare as to the physical location of the eastern boundary of the Alaskan strip, and, when read together with the description set forth above, annihilates the pretensions of Canada to any of the canals, bays, or inlets to which claims are now being set up.

The alleged claims of the Dominion of Canada to portions of the Alaskan strip arises, first, from the strained construction given to the description of the boundary-line as hereinabove set forth; and, second, from a real or pretended belief in the existence of a fact which is emphatically controverted by the engineers of the United States.

Canadian Claims.

The Parliamentary papers and the leading journals of the Dominion of Canada, and particularly of the Province of British Columbia, vigorously contend, in support of the construction referred to—

1. That “Behm Canal,” and not “Portland Canal,” is the channel intended through which the boundary-line commencing at the southernmost portion of Prince of Wales Island “shall ascend to the north as far as the point of the continent where it strikes the 56th degree of north latitude.”

2. That the eastern boundary-line, in its extension from the point where it strikes the 56th degree of north latitude, shall follow an alleged range of mountains, arbitrarily crossing and cutting off the heads of bays and inlets the ownership of which by the United States has hitherto been unquestioned.

3. That the said eastern boundary-line is not a line following the sinuosités of the coast, and giving to the terms “windings of the coast” an interpretation which concedes to British Columbia not only parts of the inland waters, but a large area of the most valuable portions of the coast-line strip known as south-eastern Alaska.

4. That neither Portland nor Behm Canal was named when the British-Russian Convention of 1825 was acted upon.

That these, among other points inimical to the proprietorship of the United States, are vigorously contended for by the press of Canada, and are supported by semi-official utterances, may be safely inferred from the following facts:—

Twenty of the mounted police of the Dominion of Canada passed through the city of Seattle last July to enforce Customs Regulations of that Government in Alaska.

Mr. William Ogilvie, the well-known Canadian surveyor, and who had charge, in

part, of the corps of engineers engaged in the "joint or coincident survey" hereinafter spoken of, is quoted as to the boundary-line through "Portland Canal" as follows: "This, by the way is objected to by the Province of British Columbia, and with reason, for in strict conformity with the wording of the Article of the Treaty a northerly line from the southernmost point of Prince of Wales Island would never reach Portland Canal at all, but would go up the channel known as Behm Canal."

Provincial Premier Turner (Province of British Columbia), in a recently published interview, says: "From what I learned during my stay in England, it is plain to me that if something is not done immediately this country (Canada) runs a great risk of losing for ever a great and valuable block of territory that was stipulated as being part of British America at the time of the enactment of the British-Russian Treaty of 1855. The Americans have quietly issued maps in which this territory, in reality belonging to Canada as much as historic Quebec, is represented as forming part of Alaska, and, sorry to say, some of our own map-makers have fallen into the snare, and, taking it for granted that the American claim is a valid one, have 'corrected' Canadian maps accordingly."

The very latest official map of the Province of British Columbia, issued under Governmental authority, and purporting to be compiled under direction of Hon. G. B. Martin, Chief Commissioner of Lands and Works at Victoria, British Columbia, shows the boundary-line as proceeding up through Behm Canal, and, further, places in British Columbia the heads of the most valuable bays and inlets, and an area of valuable territory heretofore regarded as and tacitly conceded by Canada to be the possessions of the United States, a part of which has been the subject of recent special legislation by our Federal Government.

The Committee has earnestly and diligently endeavoured to ascertain upon what sound reasoning these pretensions are founded, and in what manner the Dominion of Canada can logically establish its claim to this rich territory, as said claim is manifested by official maps and the foregoing assertions.

An exhaustive examination of the evidence that is material or relevant, which the Committee has been able to obtain, leads to the conclusion that these claims, with the exception hereinafter mentioned, are founded on neither fact nor reason, and that the controversy, when once clearly understood, will be in a great measure stripped of its perplexities. The exception referred to is whether or not there exists a range of mountains "which extend in a direction parallel to the coast, from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude," within the 10 marine league limit.

To set forth *in extenso* the evidence which in the judgment of the Committee would establish the conclusion that the Canadian claims are untenable would demand a report of too great length, and a reference to the same will be sufficient to invite the confidence of the Chamber in its reliability:—

1. In the first place, the charts and maps of both Governments, for near a quarter of a century, show the boundary-line is drawn thereon to follow the sinuosities of the coast, equidistant therefrom, beginning at the head of Portland Canal, and reaching to Mount St. Elias; and that this line, so drawn, has been recognized by the civilized world from 1825 to about 1884, and has been so recognized by British Columbia on the official maps of that Government as late as the date last mentioned.

2. That this line was so recognized at the time Alaska was purchased by the United States from Russia in 1867, and United States' troops were soon thereafter stationed at Fort Tongass, at the mouth of Portland Canal, and United States' Customs officials maintained at said point as late as 1889, meeting with no protest from the Canadian Government or other Powers of the world.

3. That Behm Canal and Portland Canal were both well known at the time of the Convention of 1825 between Great Britain and Russia, and that Portland Canal was so named by that eminent British navigator, Captain George Vancouver, in 1793, and was one of the subjects of diplomatic correspondence between England and Russia for several years immediately preceding the Convention of 1825.

4. That for many years prior to the purchase of Alaska by the United States, that powerful English commercial institution, the Hudson Bay Fur Company, paid the Russian Government an annual stipend for the privilege of trading in the very inlets that the Dominion of Canada now claims; that the compact between that Company and the first-named Government it is believed can be found among the Russian archives.

5. That if written evidence of such a compact cannot be found, there are now

living witnesses who can testify that the Hudson Bay Company paid the annual compensation referred to as late as the year 1857, as the following letters from the Rev. William Duncan and the Indian Secretary of the Metlakahtla Indians will show :—

*On board "City of Topeka," Alaskan Waters,
May 3, 1895.*

Before leaving home for a trip to Sitka I received a letter from Mr. Miner Bruce, the explorer, asking me to write you any particulars I might happen to know regarding the question of the boundary between Alaska and British Columbia. Most likely the little information I have on the subject is already known to you, but it can do no harm to write what I know :—

1. In 1857 I was located at Fort Simpson, and was in constant daily intercourse with the affairs of the Hudson Bay Company, who had a monopoly of the country at that time. From this intercourse I learned that all the country north of Portland Canal belonged to Russia, and for the privilege of trading with the Indians from that point, and as far as Chilkat, the Hudson Bay Company paid a rent to the Russian Government of 1,000 otter skins each year. It is not at all likely that a Company of such proportions as the Hudson Bay Company would consent to pay rent for territory of which there was uncertainty as to ownership. That Company would most assuredly be well acquainted with the maps which assigned the territory to Russia, or it would have never made the agreement with Russia which it did. Nor did those officers during all the years I was in daily intercourse with them ever hint at a doubt as to the boundary from which Russian claims started.

2. I have known law-breakers to escape to Tongass from justice, being, while there, out of the jurisdiction of British Columbia.

3. When the United States purchased Alaska a corps of soldiers was stationed at Tongass, and continued there for years in undisputed control.

4. On my migrating with over 800 Indians from British Columbia in 1887, we had to call at Fort Tongass and give an account of our belongings. I paid the Customs officers over 1,000 dollars to bring my goods into Alaska. The Customs authorities resided at Tongass, just over the inlet called Portland Canal.

Yours truly,
(Signed) WM. DUNCAN.

J. B. Metcalfe, Esq.,
Seattle, Washington.

Dear Sir,

Metlakahtla, Alaska, May 31, 1895.

Since the report reached us of the controversy which is going on between Canada and the United States concerning the boundary-line between British Columbia and Alaska, we have met to discuss the matter.

The information which we have to offer on the subject is :—

1. When we left our old home in British Columbia we were regarded as foreigners by the Canadian authorities.

2. In the summer of 1887, when we migrated to Alaska, Fort Tongass, just over Portland Inlet, was a port of entry. We had to pay duty to a Custom-house officer residing there on all dutiable articles we brought over to this country.

3. We employed three small steamers to convey over our belongings, one of which the Custom-house officer at Port Simpson tried to detain as coming from a foreign country. We had to receive our clearance papers at Port Simpson before coming over to Alaska.

4. Having got over to Annette Island, the Canadian Indian agent at Metlakahtla, British Columbia, ceased to have any control over us, which would not have been the case (such was the animus of the man) if the boundary-line had been doubtful.

We remain, &c.
(Signed) The People of Metlakahtla, Alaska
(D. LEASK, Secretary).

J. B. Metcalfe, Esq.,
Seattle, Washington.

6. That the Rev. Mr. Duncan, having become engaged in a controversy with his religious superiors sent out to overlook his charge of the Metlakahtla Indians, appealed to the Congress of the United States for a haven for himself and his 800 Indians away

from their control or molestation, and that by an Act of Congress approved the 3rd March, 1891 (Chapter 561, Section 15, "United States' Statutes at Large," vol. xxvi, p. 1101), Annette Island was set aside for his use. The new Metlakahltla is now a thriving community, with churches and schools, and self-sustaining industries carried on by these Indians, and that Canada had not at that time announced the present claim or any claim to this island.

7. That it can be shown that the process of the British Columbia Courts were never attempted to be served on the north side of Portland Canal on offenders against British Columbia laws.

8. That it is conceded by the press, and also officials of British Columbia, that some one has blundered, and that the official maps of that province, recognized by Canada, have to be "corrected," and say that "the Dominion officials have followed, sheep-like, in the track of the United States' diplomatists. Luckily, their stupidity in lazily copying the blunder of the public servants of the United States did not legalize what is manifestly an error. It is not too late to correct the mistake that has been made." The utterance of Premier Turner is to the same effect. "The Canadians will have to repudiate some of their own maps."

The foregoing references are made to show that the facts therein set forth reasonably constitute a tacit admission by Canada of the proprietorship of the United States in the now contested territory, since during all the time mentioned the open and well-known possession thereof and the exercise of Governmental control over the same by the United States has never been, until recently, assailed nor questioned.

Construction of the Convention of 1825.

The Committee has heretofore alluded to what appears to be an illogical construction given to the terms of Articles III and IV of the Convention of 1825, which are identical with those of Article I of the Convention of 1867, wherein the description of the boundary-line is recited. A careful perusal of the description fixes the initial point at Cape Chacon at the southernmost point of Prince of Wales Island. The first call of the description then reads: "The said line shall ascend to the north along the channel called Portland Channel, as far as the point of the Continent where it strikes the 56th degree of north latitude."

The southernmost point of Prince of Wales Island is on the line of 54° 40' north latitude, and the entrance of Portland Canal is due east from said point about 50 or 60 miles. The Canadian contention is that Behm Canal is meant, because you can only "ascend to the north" from the initial point through that channel. Literally this is true, but the construction disregards the object to which the line is carried by the words "shall ascend to the north along the channel, called Portland Channel." The familiar doctrine that courses and distances will be controlled by monuments does not seem to have been taken into consideration.

Again, it is contended that Portland Canal is not intended, because Portland Canal does not "strike the 56th degree of north latitude," and that Behm Canal does, and was therefore intended. This interpretation is also unwarranted by the language used, for the plain reading shows that the line is the subject, and not the canal. In other words, the line "shall ascend to the north," &c., as far as the point of the Continent where it, the line, strikes the 56th degree of north latitude.

The boundary-line from this point north-westerly to Mount St. Elias, as shown by the official map of British Columbia, is arbitrarily drawn, and seems not only to hold in contempt the language of the description in Article IV before mentioned, but takes no note of the physical facts. The language, it appears to the Committee, can sustain no other interpretation than that "whenever the summit of the mountains which extend in a direction parallel to the coast . . . shall prove to be at a distance of more than 10 marine leagues from the ocean, . . . the limit . . . shall be formed by a line parallel to the windings of the coast, and which shall never exceed the distance of 10 marine leagues therefrom." How this line, which must follow the summit of the mountains which extend in a direction parallel to the coast, and where no mountains exist within the prescribed 10 marine leagues, must be parallel with the "windings of the coast," can, with uncontrolled licence, sever the heads of the great bays and inlets, spring from shore to shore, and leap across the great arms of these inland waters, the Committee has not yet been able to grasp.

To the words "10 marine leagues from the ocean" is also given the construction that this distance should be measured from the outlying islands. This cannot be sustained, because the point where the line strikes the 56th degree of north latitude at

the head of Portland Canal is about the prescribed distance, and it then follows the windings of the coast of the Continent and not that of the islands.

The Committee is persuaded that this entire interpretation can be safely overthrown, and the contention of the United States established before any impartial Tribunal. An examination of the diplomatic correspondence carried on between the distinguished Representatives of the Russian and British Governments conclusively establishes the intention of both the High Contracting Parties as to this very line. This correspondence was carried on from the cities of St. Petersburg and London for the space of several years, and culminated in the Convention of 1825. At the beginning of these communications the Russian Chancellor directs the Russian Ambassador at London as follows:—

“In order not to cut the Island of Prince of Wales, which, according to that arrangement, should rest with Russia, we would propose to take the southern frontier of our domain to 54° 40' of latitude, and to make it abut on the Continent at the Portland Canal, of which the embouchure into the ocean is off the Island of Prince of Wales, and its origin is in the Continent between the 55th and 56th degrees of latitude.”

This proposition is practically maintained throughout the many negotiations which occurred, and is fairly admitted by the British Plenipotentiary in his final communication to his Government at the time of the execution of said Convention.

As to the disagreement upon the facts. If the reports in the press of British Columbia be true, it is strenuously contended that there exists a range of mountains within the 10 marine leagues limit, and it is stated that the main efforts of the Canadian engineers are directed to the establishment of that range. In this connection, the Committee called upon Mr. Phillip A. Walker, one of the corps of engineers which has been engaged on the part of the United States in surveying the disputed territory, and he informed us a few days since that the result of their labours established, without doubt, that no range of mountains exists.

The output from the resources of Alaska since its purchase by the United States runs into the millions far in excess of its purchase price, and its commerce with the States is now great, and increasing yearly. The Alaskan trade with the city of Seattle in the past year has reached nearly a million dollars, and with the present increase of trade will double within the next year.

The Committee respectfully submits the above as some of the results of its labours, and believes that no efforts should be spared by this Chamber to bring to the aid of our Government all evidence which will enable it to establish our rights over the disputed territory.

The Convention of 1892 between the United States of America and the United Kingdom of Great Britain and Ireland provided for the appointment of Commissioners by the High Contracting Parties “with a view to the ascertainment of the facts and data necessary to the permanent delimitation of the said boundary-line,” &c. To secure such facts and data a coincident or joint survey of the territory adjacent to the boundary-line was agreed upon, and the Commissioners were to make a joint Report to each of the two Governments upon such facts as they were able to agree upon, and to jointly or severally report to each Government such points as they were unable to agree upon. As soon as the Reports shall have been received, then the High Contracting Parties further agree that “they will proceed to consider and establish the boundary-line in question.”

The Committee learns through the press despatches that the Reports provided for by the above Convention have been submitted to the respective Governments and await further action, in pursuance of the terms of the Convention of 1892 and the Supplemental Convention of 1894.

Sincerely hoping that the efforts of the Committee may aid a peaceful and satisfactory solution of the controversy, this Report is herewith respectfully submitted.

(Signed) J. B. METCALFE,
Chairman of Committee.

Mr. Squire.—I trust that early action may be taken upon the Joint Resolution. I do not deem it necessary that it should be referred to any Committee for action, but if it is thought best it may be referred.

Several Senators.—Let it be referred.

Mr. Squire.—Very well. I move that the Joint Resolution be referred to the Committee on Foreign Relations.

The motion was agreed to.

No. 4.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received January 20.)

(No. 9.)

My Lord,

Washington, January 7, 1896.

I HAVE the honour to forward herewith to your Lordship copy of a note which I have received from the Secretary of State, in which he informs me that a small portion of the line running through Passamaquoddy Bay not having been agreed upon between Mr. Mendenhall (the late United States' Commissioner) and the British Commissioner before the supersession of the former, consideration of this remaining disagreement will be continued by Mr. Duffield, the present United States' Commissioner, who will seek an early conference with his British colleague, to the end that a prompt and satisfactory disposal of the matter be arrived at.

I have informed his Excellency the Governor-General of Canada accordingly.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 4.

Mr. Olney to Sir J. Pauncefote.

Excellency,

Department of State, Washington, January 6, 1896.

REFERRING to the Department's note of the 25th June last to Lord Gough, announcing that Mr. Mendenhall had been superseded by Mr. W. W. Duffield as United States' Commissioner for the Alaska Boundary Commission, &c., I have the honour to say that a small portion of the line running through Passamaquoddy Bay not having been agreed upon between Mr. Mendenhall and the British Commissioner before the supersession of the former, consideration of this residual disagreement will be continued by Mr. Duffield, who will seek an early conference with his British associate to the end of a prompt and satisfactory disposal of the matter.

I have, &c.

(Signed) RICHARD OLNEY.

No. 5.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received February 8.)

(No. 31.)

My Lord,

Washington, January 24, 1896.

REPORTS having been published in the "Transcript," a respectable Boston paper, in August last, of alleged interviews with Father Barnham, of the Society of Jesuits, and General Duffield, Superintendent of the United States' Coast and Geodetic Survey, reflecting on the action of the Canadian authorities in relation to the Alaska boundary, Viscount Gough referred the extracts to his Excellency the Governor-General of Canada on the 28th August last, and I now have the honour to forward herewith to your Lordship copy of an approved Minute of the Canadian Privy Council, containing the observations of the Canadian Ministers upon the statements contained in those extracts.

The statements are said to be erroneous, and therefore to call for no special remark.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 5.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 8th January, 1896.

THE Committee of the Privy Council have had under consideration a despatch, hereto attached, dated the 28th August, 1895, from Viscount Gough, Her Majesty's Charge d'Affaires at Washington, transmitting two extracts from the Boston "Transcript" of the 22nd and 23rd August last respectively, containing reports of interviews with Father Barnham, of the Society of Jesuits, and General Duffield, Superintendent of the United States' Coast and Geodetic Survey, relative to the boundary between Canada and Alaska.

The Minister of the Interior, to whom the said despatch and inclosures were referred, observes that General Duffield, who is the United States' Commissioner under the Convention entered into at Washington in July 1892 in relation to the boundary mentioned, is represented by the "Transcript" to have stated that he had been informed by Mr. W. F. King, Her Majesty's Commissioner, that no Canadian surveying parties were sent into the field during the present year.

The Minister states that he is informed by Mr. King he had a conference with General Duffield shortly after that gentleman's appointment, and that at that conference, which was held at Rochester, in the State of New York, General Duffield was informed that a surveyor was then at work, under instructions from Her Majesty's Commissioner, on the survey with which the joint Commissioners had been intrusted. Mr. King further reports that last spring, previous to sending out this surveying party, he had notified Dr. Mendenhall, then the United States' Commissioner, of his intention to do so.

The Minister submits that it is apparent from the foregoing that the statement attributed by the "Transcript" to General Duffield, as to the information which he had received from Her Majesty's Commissioner, was so attributed in error.

The Minister further observes that the opinions expressed by Father Barnham, as reported in the columns of the "Transcript," if made at all, would appear to have been made entirely at random and from a limited knowledge of the question at issue, and they call for no remarks.

The Committee, on the recommendation of the Minister of the Interior, advise that a certified copy of this Minute be transmitted to Her Majesty's Ambassador at Washington.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE,

Clerk of the Privy Council.

Viscount Gough to the Earl of Aberdeen.

My Lord,

Newport, R.I., August 28, 1895.

WITH reference to your Excellency's despatch of the 22nd June last, I have the honour to transmit herewith, as possibly of interest to your Excellency, two extracts from the "Transcript," a respectable paper published in Boston, of the 22nd and 23rd instant respectively, containing reports of interviews with Father Barnham, of the Society of Jesuits, and General Duffield, Superintendent of the United States' Coast and Geodetic Survey, relative to the boundary between Alaska and Canada.

I have, &c.

(Signed)

GOUGH.

Extract from "Transcript," 22nd August.

SEWARD'S ICE CHEST.—GREAT BRITAIN TRYING TO FILCH FROM IT. LAYS CLAIM TO RICH GOLD AND COAL FIELDS. ALSO FINE HARBOURS AND TIMBER LANDS.

San Francisco, Cal., August 22.—In an interview last night, Father Barnham, S.J., who has just returned from Alaska, said, regarding the boundary between British Columbia and Alaska: "England has a surveying party up there now running a new line to suit herself. These engineers are not on a junketing tour to amuse themselves; they are working hard. They have a magnificent equipment, and have already accomplished a great deal. Unless we have gumption we shall lose an immense slice of south-eastern Alaska. They will steal Glacier Bay and some grand harbours. We have not paid enough attention to this question. Alaska, until a few years ago, used to be called Seward's Ice Chest. Little or nothing was known about the country, and the people here did not take interest enough in it to think about it. We are cut off by the General Congress. We have no right representation, and what is needed now is a man who will rise up and bring the question in the full magnitude of its importance before the people.

Arbitration? We always lose in arbitration. We lost in the San Juan question. The sixty-mile limit in the Behring Sea was nonsensical. We lost there too. I suppose the English will decide on a boundary of their own between Alaska and Canada. Then we will howl. Canada will howl too, and there must be arbitration, of course. Now, why do the English make this move at this late day? Since 1841 the boundary was a settled fact. It was never disputed when the territory belonged to Russia, and was known as Russian-America. It is still on all the English maps, which shows that it was accepted by England through all these years, and to ask for arbitration now on a new line is nothing but impertinence. At Forty-Mile Creek, where there has never been trouble of any kind, a detachment of Canadian police was stationed recently, and Father Barnham said he expected serious trouble this coming winter between the American miners and the Canadian officers.

TREMENDOUS INTERESTS INVOLVED.

In 1867 the United States purchased Alaska from Russia, paying for it \$7,200,000. England did not then raise a question as to the boundary, and up to 1889, a term of fifty-nine years, forty-two years under Russian ownership and seventeen years under United States' control, the Alaskan boundary was never questioned, but in all maps, charts, and British official matters, this boundary-line was shown and represented, as American maps and official documents still hold it. In 1884, the Dominion of Canada, on its maps, changed the Alaskan boundary-line to suit its own purpose, the British Government recognized Canada's claim, and at the instigation of Her Majesty's Government, the United States, on the 22nd July, 1892, appointed a Commission for the purpose, as set forth in Article 1 of the Convention agreed upon, "Providing for the delimitation of the existing boundary between the United States and Her Majesty's possessions in North America, in respect to such portions of said boundary-line as may not, in fact, have been permanently marked in virtue of Treaties heretofore concluded." The time allowed to complete surveys and submit final reports ended the 28th November, 1894; but final reports are to be submitted by each of the "High Contracting Parties" on the 31st December, 1895. The disputed lands are in the south-eastern division of Alaska, in what is known as the Panhandle of that vast empire. The claim set up by the British Government, in brief, is that instead of Portland Channel, Behm Channel, the first inlet west of Portland Channel was meant; and, starting from this point, the line of demarcation includes an area about 600 miles in length, and of varying widths up to 150 miles, including about a hundred miles of sea-coast, with its harbours and the islands adjacent thereto. The value of the strip is almost inestimable.

Alaska last year in her fish canneries alone did a business of fully 3,000,000 dollars, the greater part of which business is in the disputed Alaskan territory. The untouched forests of this section are greater than any in the United States. Besides this, there are large deposits of copper, iron, coal, and marble. The population is now 35,000, of which number about two-thirds are in this disputed division. The army of men who are working in the interior or main part of Alaska come by steamer to Chilkat, and

thence follow a trail a distance of 40 miles to Forty-Mile Creek, where they build rafts and float down the Yukon River, a distance of 600 miles to the inland gold-fields. If the English claims to territory are made good these head-quarters will become their possessions, and the harbours now in American hands will fly the British flag, and she will control the way to the interior of Alaska. The acquisition of the coal-fields of Alaska by England is of far more importance than may be appreciated by the apparently indifferent Americans. To make this matter plainer, it is well to call attention to the fact that the only coal supply station now open to the United States on the Pacific coast is on Puget Sound, while England, through the Dominion of Canada, has vast coal-fields in British Columbia. The United States would also lose the famous Treadwell mining property, the Hayward-Lane property, which is undoubtedly the richest mining property in the world, and the Silver Bow property.

Extract from "Transcript," August 23.

BOUNDARY-LINE IS FIXED.—STORY THAT ENGLAND IS TRYING TO STEAL ALASKA
NOT CREDITED.

Washington, August 23.—General Duffield, Superintendent of the Coast and Geodetic Survey, said last night that he placed but little credence in the report that England had a surveying party running a line of her own to determine the boundary between Alaska and British Columbia.

"It was only a few days ago—August 10 to be exact," said General Duffield, "that I met Mr. King, the Canadian Boundary Commissioner, by appointment in Rochester, for the purpose of conferring about this boundary survey and arranging our plans for the future. I know that Mr. King has not been in Alaska during the present year, and he informed me that none of his party was in the field. For that reason I am confident no surveyors are now at work on the line, but even if they were it would make little difference. The boundary-line is fixed by Treaties between this country and Great Britain and between Russia and Great Britain. The work of the surveyors is to definitely mark the lines laid down by those Treaties. We have an engineering party engaged in that labour, and so have the English, and the surveys are being made as rapidly as the appropriations and seasons will permit. When the work is completed a report will be made to the respective Governments. Mr. King and myself will visit the scene of the work in October, but when the survey will be completed is a question that cannot now be answered."

No. 6.

Sir J. Pouncefote to the Marquess of Salisbury.—(Received February 24.)

(No. 55.)

My Lord,

Washington, February 13, 1896.

WITH reference to my despatch No. 8 of the 7th ultimo, I have the honour to transmit official copies of a joint Resolution granting 75,000 dollars to defray the United States' share of the expenses of the Commission to fix the boundary-line between Canada and Alaska at the 141st meridian of longitude.

The effect of this Resolution, which was passed in the Senate on the 15th January, and in the House of Representatives on the 12th February, is to enable the President to enter into a Convention with Her Majesty's Government, subject to the approval of the Senate, and then to appoint Commissioners to represent the United States in the survey.

I also have the honour to inclose an extract from the "Congressional Record" of the 12th instant, containing a speech by Mr. Pitney, of New Jersey, on the subject of the boundary question at issue.

I have, &c.

(Signed)

JULIAN PAUNCEFOTE.

Inclosure 1 in No. 6.

54th Congress, 1st Session.—S. R. 39.

IN THE HOUSE OF REPRESENTATIVES.

January 17, 1896.—Referred to the Committee on Appropriations.

Joint Resolution making an Appropriation to defray the Joint Expense of locating the Boundary Line between the Territory of Alaska and the British North American Territory.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,—

“That in view of the expediency of forthwith negotiating a Convention with Great Britain for marking convenient points upon the 141st meridian of west longitude, where it forms, under existing Treaty provisions, the boundary-line between the territory of Alaska and the British North American territory, and to enable the President to execute the provisions of such Convention without delay when concluded, the sum of 75,000 dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any moneys in the Treasury not otherwise appropriated, to be immediately available, under the direction of the President, to defray the share of the United States in the joint expense of locating said meridian and marking said boundary by an international Commission.”

Passed the Senate the 15th January, 1896.

Attest.

(Signed)

WM. R. COX, *Secretary*.

Inclosure 2 in No. 6.

Extract from the “Congressional Record” of February 12, 1896.

Mr. Cannon.—Mr. Speaker, I am directed by the Committee on Appropriations, to whom was referred Senate Joint Resolution (No. 39), making an appropriation of 75,000 dollars to defray the expenses of locating the boundary-line between the territory of Alaska and British North American territory, having considered the same, to report it back and recommend its passage without amendment.

I merely desire to say that, after a full consideration, the Committee was unanimous in recommending the appropriation. I wish to yield a short time to the gentleman from New Jersey (Mr. Pitney), who is a member of the Committee, touching this matter.

The Speaker.—The Clerk will report the Resolution.

The Clerk read as follows:—

“A joint Resolution, making an appropriation to defray the joint expense of locating the boundary-line between the territory of Alaska and the British North American territory.

“Resolved, &c.—That, in view of the expediency of forthwith negotiating a Convention with Great Britain for marking convenient points upon the 141st meridian of west longitude, where it forms, under existing Treaty provisions, the boundary-line between the territory of Alaska and the British North American territory, and to enable the President to execute the provisions of such Convention without delay when concluded, the sum of 75,000 dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any moneys in the Treasury not otherwise appropriated, to be immediately available, under the direction of the President, to defray the share of the United States in the joint expense of locating said meridian and marking said boundary by an international Commission.”

Mr. Pitney.—Mr. Speaker, in behalf of the Committee I desire to say only a few

words in explanation of the purpose of this joint Resolution, because there has been and is a good deal of confusion in the public mind, and possibly in the minds of some members of this House, as to what is the exact status of the controversy, in so far as it has become a controversy, touching the boundary-line which divides the territory of Alaska from British North America. By a Treaty concluded between this country and Russia in the year 1867, all the Russian North American possessions were ceded to the United States, and the eastern boundary-line of those possessions (now called Alaska) was declared to be the same boundary laid down in the Convention or Treaty concluded between Great Britain and Russia in the year 1825. That boundary-line has two parts, and each of these parts has given rise to something of controversy; but these controversies have not yet reached an unfriendly stage.

By the Treaties just mentioned, the eastern limit of Alaska is described as "commencing from the southernmost point of the island, called Prince of Wales' Island," in latitude $54^{\circ} 40'$ north, and ascending to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude, and from this point following "the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude," and from that point of intersection following the 141st meridian to the frozen ocean.

But it was further provided—

"That whenever the summit of the mountains which extend in a direction parallel to the coast from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude shall prove to be at the distance of more than 10 marine leagues from the ocean, the limit . . . shall be found by a line parallel to the winding of the coast, and which shall never exceed the distance of 10 marine leagues therefrom."

Now, Mr. Speaker, it has been found that in fact the topography of the country, from the commencement of this eastern boundary-line to the point where it meets the 141st meridian, is different from what it was supposed to be at the time of the making of the Russo-British Treaty of 1825, and therefore disputes have recently arisen as to the true location of that part of the boundary. In 1884 the Canadian authorities, abandoning the location shown by all published maps for many years, claimed for the first time in an official map that the line at its commencement, instead of ascending the Portland Canal, should ascend an estuary lying some distance farther west, and called Behm Canal. This claim places in dispute a territory which has always been considered a part of the territory of Alaska, and which equals in area the State of Connecticut.

Still later, in the year 1887, a claim has been made by the Canadian map-makers that the remainder of this portion of the boundary ought to be pushed nearer to the ocean than previous maps showed it to be. This claim arises from the fact that whereas the Treaty called for the "summit of the mountains" to be followed from the latitude of 56° in a north-westerly direction, subsequent surveys have demonstrated the fact that there is no range of mountains which will answer the description in that clause of the Treaty. But, according to our contention, this makes it necessary to fall back upon the second branch of the description, which declares in effect that in case there shall be no range of mountains within the limit of 10 marine leagues from the coast, extending in a northerly direction from the latitude of 56° , the line shall follow the windings of the coast, and be nowhere more than 10 marine leagues distant therefrom. That, in short, is one branch of the controversy.

In 1892 a Convention or Agreement was concluded between the Government of the United States and the Government of Great Britain, which had for its object a joint or coincident topographical survey of the south-easterly territory of Alaska, from the latitude of $54^{\circ} 40'$ to the point where the 141st meridian is encountered, in order to ascertain the facts and data necessary to enable us to determine where, according to the spirit and intent of the Treaty, the boundary-line should be located. That joint survey has been completed, and a report was signed by the Commissioners on the 31st day of last December, but the maps have not yet been engraved, and the matter is not in a condition to be laid before Congress. I may say, however, that we are assured by the officials representing the Coast and Geodetic Survey that their surveys have demonstrated the fact that there is no range of mountains such as at

the time the Treaty was concluded between Russia and Great Britain was assumed to exist, and no range of mountains to which the language of the Russian Treaty of 1867 can apply. Therefore, the claim on behalf of the Government of the United States is and must be that the territory of Alaska, that is, the south-easterly portion of it, shall be bounded to the eastward by a line distant 10 marine leagues from the coast, and following the windings of that coast.

Mr. Knox.—Does the gentleman mean the coast of the main land or the coast of the islands?

Mr. Pitney.—I was coming to that, Mr. Speaker. On the Canadian side of the question two claims are made. In the first place, they claim that while there is no range of mountains distant 10 marine leagues from the coast, or thereabouts, there is a range of mountains very near to the coast of the mainland, and that the line should be run there near the coast, which would leave in British territory a large part of Taku Inlet and a large part of Lynn Canal, two great estuaries which extend into the interior. This would bring the British possessions down very close to the ocean, and, at the same time, the American territory of Alaska would be dismembered, and it would be impossible for us to proceed by land from one part of that territory to the other without the consent of the British authorities. Moreover, the British Government could establish fortifications upon tide water, could run a branch of the Canadian Pacific Railway to Taku Inlet or to Lynn Canal, and could thus control those two great entrances into the interior of the country. The second claim on the part of the Canadians is that the 10 marine leagues, or 30 nautical miles, equivalent to about 35 statute miles, which are to be the limit of the width of this portion of our possessions, should be measured not from the coast of the main continent, but from the outermost edge of the archipelago which fringes the continent. The result of allowing that claim would be to throw the control of all these waterways into British hands.

Now, Mr. Speaker, it is not necessary to discuss the matter further to show to the House how great is the importance of this dispute. As yet the matter is in a friendly position between our Government and the authorities of Great Britain, and it is desirable that it should be left in a position of amicable adjustment between the parties.

The second great question between the British authorities on the one side and the Government and people of the United States on the other relates to the true location upon the surface of the earth of the 141st meridian of west longitude, and it is to this branch of the subject that this present Resolution mainly relates. In regard to that meridian no doubt arises from the language of the Treaty. The doubt arises only in attempting to mark upon the earth's surface the location of the meridian. That location is to be ascertained by astronomical survey; not by the ordinary topographical survey, but by observation of the stars, and it is a very expensive operation, and requires a great deal of time.

Now, money has already been spent under the authority of the United States' Government, and some also by the Canadian or British authorities, for the purpose of ascertaining with such degree of certainty as human observation permits where the 141st meridian runs. At some points along the line both the Canadian surveyors and our own have made observations. At one point—at the crossing of Forty-Mile Creek—the two surveys are only about 6 feet apart; in another place—at the Yukon River—they are 618 feet apart. The meridian has been located with this approximate degree of accuracy upon the principal water courses which form the highways by means of which miners and other immigrants enter the country.

It is very desirable, in the opinion of the Department of State, in the opinion of the Senate, who have passed this joint Resolution, and in the opinion of the Committee on Appropriations, who have reported it to the House, that this survey should be promptly completed by duly authorized Commissioners on the part of the Dominion of Canada and duly authorized Commissioners on the part of the Government of the United States; that an agreement should be reached and monuments should be set up at all the principal points along the 141st meridian, in order that settlers and others shall be able to tell whether any particular spot is in the British possessions or is United States' territory. So soon as the principal points may have been ascertained by astronomical survey and monuments erected upon the ground, those points may be connected by lines run by the ordinary methods of triangulation.

This appropriation is called for in order to enable the engineers on the part of the United States to join with those on the part of Canada in completing this survey.

The proposition was made to our Department of State last summer on the part of the Dominion of Canada that we should either join in the expense of a joint survey, or that we should adopt provisionally the results of a survey which had been partially completed by Mr. William Ogilvie in behalf of Canada, and in the event that we did provisionally adopt his survey, we should pay one-half of the expense incurred. It was thought best that we should enter at once into a Convention or Agreement in order to have a definite survey made and agreed to by both parties, and to have the location of the 141st meridian marked by visible monuments. This is desirable, not only with reference to the disputed territory on that meridian, but in order to lead to an amicable arrangement, which, it is hoped, may soon be entered into with regard to the disputed territory along the south-eastern part of the boundary.

Mr. Loud.—I desire to ask the gentleman what powers are now vested by law in this Commission?

Mr. Pitney.—None, as yet; no Agreement has yet been made; no Commission has yet been appointed.

Mr. Loud.—Would not the passage of this Resolution empower that engineering Commission to locate the line, and would it not thus become fixed?

Mr. Pitney.—That is the object of the appropriation. The passage of this Resolution, however, does not conclude the Government of the United States in this matter. It simply enables the President to enter into a Convention with Great Britain, subject to the approval of the Senate, and then to appoint Commissioners to represent us in such a joint survey.

Mr. Loud.—Then this does not take the matter ultimately out of the hands of Congress?

Mr. Pitney.—No; not at all.

Mr. Cannon.—I now yield to the gentleman from Texas (Mr. Sayers).

Mr. Sayers.—Mr. Speaker, I rise only for the purpose of correcting a rumour that has gone out into the country, and which I have seen printed in some of the newspapers, that the United States' Government, or rather the Coast and Geodetic Survey, has adopted the survey made by the Canadian authorities in regard to the line running south-east of Mount St. Elias. That is not true. There have been parties at work in making that survey—the Canadian party and the American party. These two parties have been broken up into smaller parties. With each Canadian party there has always been a representative of the American Government, and with each American party always a representative of the Canadian Government; and the information we have is that the American parties have made about two-thirds of the survey, and the most important part of it.

Mr. Pitney.—Will the gentleman permit a statement? With regard to the topographical survey from the vicinity of Mount St. Elias to the vicinity of the Portland Canal the method adopted has been this: There have been about a dozen American parties in the field, and with each of them there has been a Canadian representative, and there have been ten or a dozen Canadian parties in the field, with each of which there has been an American representative.

Mr. Sayers.—Certainly.

Mr. Pitney.—Each one of those parties has covered a certain section of territory. The American surveys have in that way covered the whole of the territory from the coast-line to and beyond the 10-marine league limit, and the Canadian surveys have covered the greater part of the same territory, each party having with it, as I have already said, a representative of the other Government.

Mr. Sayers.—The American parties have accomplished about two-thirds of the entire topographical survey.

Mr. Knox.—Will the gentleman (Mr. Pitney) who last occupied the floor yield for a question?

Mr. Pitney.—Certainly.

Mr. Knox.—Does this Resolution provide for a resurvey of the line in south-eastern Alaska?

Mr. Pitney.—No. The survey of the country in south-eastern Alaska—the topographical survey—has been completed, but the maps have not been engraved, so that they are not available at this time.

Mr. Knox.—If that is the true line, whether it be the line of the coast or the continent, or the westerly line of the island, would there be any need of a resurvey?

Mr. Pitney.—As I understand your question, no.

The Speaker.—The question is on the third reading of the joint Resolution.

The joint Resolution was ordered to a third reading, and, being read the third time, was passed.

On motion of Mr. Cannon, a motion to reconsider the last vote was laid on the table.

No. 7.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 21.)

(No. 100.)

My Lord,

Washington, March 13, 1896.

WITH reference to my despatch No. 55 of the 13th February and to previous correspondence, relative to the survey of the Alaska boundary, I have the honour to transmit herewith to your Lordship copy of a note which I addressed to the Secretary of State on the 6th instant, together with a copy of Mr. Olney's reply.

Your Lordship will observe that, for the reasons stated by the Secretary of State, the United States' Government refuse to recognize provisionally the results of the survey actually in progress by Mr. William Ogilvie, the well-known Canadian surveyor.

Mr. Olney makes a proposition regarding the demarcation of the boundary-line, and suggests that a Convention be forthwith concluded between the two Governments on the subject.

I have transmitted a copy of the note to the Governor-General of Canada.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure 1 in No. 7.

Sir J. Pauncefote to Mr. Olney.

Sir,

Washington, March 6, 1896.

REFERRING to your note of the 10th ultimo relative to the demarcation of the principal points of the 141st meridian boundary-line between Alaska and Canada, in which you informed me that a measure aiming to facilitate the settlement of the boundary-line in question was pending in Congress, I now have the honour to ask, in view of the fact that Congress has appropriated a sum for this purpose, whether your Government would favourably entertain the proposal contained in my note of the 6th ultimo, viz., the recognition of Mr. Ogilvie's line of demarcation until the commencement of the joint survey.

In the Minute inclosed in my above-mentioned despatch, it was pointed out that it would not be possible to communicate with Mr. Ogilvie before the summer, when a considerable portion of the 141st meridian boundary should already be marked on the ground.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure 2 in No. 7.

Mr. Olney to Sir J. Pauncefote.

Excellency,

Department of State, Washington, March 11, 1896.

I HAVE the honour to acknowledge the receipt of your note of the 6th instant in which, referring to my communication of the 11th ultimo relative to the demarcation of the principal points of the 141st meridian boundary-line between Alaska and Her Majesty's dominions, you advert to the approval of a joint Resolution of Congress appropriating a sum for the purpose of such demarcation, and inquire whether this Government would favourably entertain the proposal contained in your prior note of the 6th ultimo, namely, the recognition of Mr. Ogilvie's line of demarcation, until the commencement of the joint survey.

The joint Resolution, approved the 20th February last, of which I inclose a copy

for your perusal, obviously contemplates the permanent marking of convenient points upon the 141st meridian in virtue of a Convention to that end, and the appropriation is for that purpose, and would not be applicable to the payment of a contributive share by the United States' Government to the recent and pending surveys of Mr. Ogilvie, for temporary convenience, as proposed by you. Moreover, the inconveniences of a provisional demarcation expressly declared to be subject to alteration by a final survey yet to be made jointly by the two parties appears to render such an expedient undesirable if any other equally practical and expeditious be within reach.

I am not at all satisfied that a joint astronomical survey for the purpose of locating anew and by independent observations, convenient points upon the 141st meridian, is necessary or desirable.

So far as the recent and existing surveys on either side have progressed, they exhibit a close coincidence of results. At one point, as I am informed, the difference between Mr. Ogilvie's location and that made by the United States' Coast and Geodetic Survey is only about 6 ft. 7 in. In another point the difference is in the neighbourhood of 500 or 600 feet, and at other points even closer coincidence than this latter is expected, when the comparison of calculations shall have been worked out.

After careful consideration of the subject, I am prepared to make the counter-proposition that, by a new Convention, the two Governments shall agree upon certain points of the 141st meridian at the intersection of the principal streams, locating the same at points midway between the determinations of the Coast and Geodetic Survey and of Mr. Ogilvie, and providing for the junction of the points so located by convenient joint surveys as occasion may require until the entire line shall in time be established.

Such a proposition would supply a permanent line to be deemed for all international purposes coincident with the 141st meridian stipulated under existing Treaties, and would require no further immediate arrangement than the dispatch of a joint surveying party to set up monuments at the points so conventionally defined, with perhaps the survey of a traverse line connecting the monuments on the Yukon and Forty Mile Creek and further south if need be. All this can be accomplished with ease during the coming season, if prompt action be taken to that end.

Should your response be favourable, I will be prepared to consider with you forthwith the terms of a suitable Convention.

I have, &c.
(Signed) RICHARD OLNEY.

Inclosure 3 in No. 7.

[PUBLIC RESOLUTION.—No. 16.]

Joint Resolution making an Appropriation to defray the joint expense of locating the Boundary Line between the Territory of Alaska and the British North American Territory.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled:

That in view of the expediency of forthwith negotiating a Convention with Great Britain for marking convenient points upon the 141st meridian of west longitude, where it forms, under existing Treaty provisions, the boundary-line between the territory of Alaska and the British North American Territory, and to enable the President to execute the provisions of such Convention without delay when concluded, the sum of 75,000 dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any moneys in the Treasury not otherwise appropriated, to be immediately available, under the direction of the President, to defray the share of the United States in the joint expense of locating said meridian and marking said boundary by an international Commission.

Approved, February 20, 1896.

No. 8.

Colonial Office to Foreign Office.—(Received March 26.)

Sir,

Downing Street, March 26, 1896.

WITH reference to previous correspondence respecting the Alaska boundary, I am directed by Mr. Secretary Chamberlain to transmit to you, for the information of the Marquess of Salisbury, a copy of a despatch from the Governor-General of Canada forwarding a certified copy of the Report of the Joint Boundary Commission.

The maps annexed to this Report have not been received yet.

I am, &c.

(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 8.

The Earl of Aberdeen to Mr. Chamberlain.

Sir,

Government House, Ottawa, March 3, 1896.

I HAVE the honour to forward herewith copy of an approved minute of the Privy Council, with copy of the joint Report prepared by the Commissioners appointed under the Convention between Great Britain and the United States of America respecting the boundary between the two countries (Alaska and Passamaquoddy Bay) signed at Washington the 22nd July, 1892.

As Mr. King, the British Commissioner, held his appointment direct from Her Majesty's Government I was under the impression that this joint Report would more properly have been addressed to Her Majesty's Principal Secretary of State for Foreign Affairs; but Mr. King has explained that his instructions from the Foreign Office were to address his reports to the Canadian Government.

I have, &c.

(Signed) ABERDEEN.

Inclosure 2 in No. 8.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 25th February, 1896.

ON a Report dated 15th February, 1896, from the Minister of the Interior, submitting herewith the joint Report which has been signed by General William Ward Duffield, Superintendent of the United States' Coast and Geodetic Survey (successor to Dr. Thomas C. Mendenhall), and Mr. William Frederick King, B.A., Chief Astronomer of the Department of the Interior of Canada, the Commissioners appointed under Article I of the Convention between the United States of America and the United Kingdom of Great Britain and Ireland, concluded at Washington on the 22nd July, 1892, having for its object the joint survey of the territory adjacent to that part of the boundary line of the United States and Canada dividing the territory of Alaska from the Province of British Columbia and the north-west territory of Canada.

The Minister recommends that a certified copy of this Minute and of the said Report be deposited with the plans of survey and other documents of record in the Department of the Interior having relation to the external boundaries of Canada. The maps which should accompany it are stated by Her Majesty's Commissioner to be in course of completion, and will be submitted as soon as possible.

The Minister further recommends that copies of the said Report be laid before the Senate and House of Commons of Canada.

The Committee on the recommendation of the Minister of the Interior advise that your Excellency be moved to forward a certified copy of this Minute and also of the inclosed Report to the Right Honourable the Secretary of State for the Colonies.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE,

Clerk of the Privy Council.

Inclosure 3 in No. 8.

Report of Joint Boundary Commissioners.

THE Undersigned, William Ward Duffield, on behalf of the United States of America, and William Frederick King, on behalf of Her Britannic Majesty, duly appointed Commissioners under and by virtue of the 1st Article of the Convention of the 22nd July, 1892, between the United States and the United Kingdom of Great Britain and Ireland, have the honour to submit the following joint Report of our proceedings and transactions under the said 1st Article of the Convention, which reads as follows:—

“The High Contracting Parties agree that a coincident or joint survey (as may be found in practice most convenient) shall be made of the territory adjacent to that part of the boundary line of the United States of America and the dominion of Canada dividing the territory of Alaska from the Province of British Columbia and the north-west territory of Canada, from the latitude of $54^{\circ} 40'$ north, to the point where the said boundary line encounters the 141st degree of longitude westward from the meridian of Greenwich, by Commissioners to be appointed severally by the High Contracting Parties, with a view to the ascertainment of the facts and data necessary to the permanent delimitation of said boundary line, in accordance with the spirit and intent of the existing Treaties in regard to it between Great Britain and Russia and between the United States and Russia.

“Application will be made without delay to the respective legislative bodies for the appropriations necessary for the prosecution of the survey, and the Commissioners to be appointed by the two Governments shall meet at Ottawa within two months after said appropriation shall have been made, and shall proceed as soon as practicable thereafter to the active discharge of their duties.

“The respective Commissioners shall complete the survey and submit their final Reports thereof within two years from their first meeting.

“The Commissioners shall, so far as they may be able to agree, make a joint Report to each of the two Governments, and they shall also Report, either jointly or severally, to each Government on any points upon which they may be unable to agree.

“Each Government shall pay the expenses of the Commission appointed by it.

“Each Government engages to facilitate in every possible way any operations which, in pursuance of the plan to be agreed upon by the Commissioners, may be conducted within its territory by the Commission of the other.

“The High Contracting Parties agree that, as soon as practicable after the Report, or Reports, of the Commissioners shall have been received, they will proceed to consider and establish the boundary line in question.”

The first meeting of the Commissioners appointed under this Article was held in Ottawa on the 28th day of November, 1892. By the supplementary Convention of the 3rd February, 1894, the time for the completion of the work and the submission by the Commissioners of their joint or separate Reports, which, by the former Convention, expired two years from the date of the first meeting of the Commissioners, that is to say on the 28th November, 1894, was extended to the 31st December, 1895.

The Treaties relating to and defining the international boundary line between Canada and the United States of America in the region in question are the Treaty between Great Britain and Russia, dated 28-16th February, 1825, and the Treaty between the United States and Russia, dated 30th March, 1867.

Our Commission, under said Article I of the Convention of 1892, applies only to that portion of the boundary described in these Treaties from the southernmost point of Prince of Wales Island to the 141st meridian.

With a view to the performance of the duty imposed upon the Commissioners under the Convention of ascertaining the facts and data necessary to the permanent delimitation of the boundary line, and under the option allowed them of making either a coincident or joint survey, Dr. Thomas C. Mendenhall, at the time Commissioner for the United States (since replaced by the Undersigned, William Ward Duffield), together with the Undersigned British Commissioner, having considered the large extent of unknown territory involved and the comparatively short time allowed for the survey, determined that it was advisable to make the survey a joint one; that is, to partition among the officers working under them respectively the territory to be surveyed, arranging at the same time that each Commissioner should detail Attachés to accompany the several surveying parties of the other, for the purpose of observing and verifying their work.

The United States' Commissioner undertook to make surveys of as precise a nature as

practicable of the principal water-courses which traverse the coast strip; and the British Commissioner undertook to make a photo-topographical survey of the mountainous regions lying between these various water-courses.

A preliminary trigonometrical survey of the principal deep water passages, including the continental shore line from Portland Canal to Lynn Canal, had already been completed by the United States' Coast and Geodetic Survey, and careful determinations of the geographical positions of Mount St Elias (as hereinafter given) and of various mountain peaks in that region were made by the same organization in 1892, at which time a partial survey of the shore line of Yakuta Bay was also made. This completed work helped to co-ordinate the detached surveys of the various parties sent out by the two Commissioners.

In pursuance of this plan, during the year 1893, the following gentlemen were given parties on behalf of the United States, namely:—

Mr. Dickins, on the Unuk River.
Mr. Tittmann, on the Stikine River.
Mr. McGrath, on the Taku Inlet.
Mr. Ogden, on the Taku River.

Their duties were to make surveys of these waterways, and to procure as much information as possible as to the topography of the adjacent regions. Mr. Driscoll accompanied Mr. Ogden as Attaché appointed by the British Commissioner, and Mr. Robertson accompanied Mr. Tittman in a like capacity. Mr. Dickins' survey of the Unuk River was made in conjunction with Mr. Saint Cyr, of the British Commission, who, besides making a traverse of the Unuk River, paid particular attention to the mountainous regions on either side of the river.

On behalf of the British Commission, the following gentlemen were placed under instructions to make topographical surveys as full and complete as their means would allow:—

Mr. Saint Cyr, the Unuk River and the mountainous region on either side of it.
Mr. Klotz, adjoining him to the west and north-west, towards Bradfield Canal.
Mr. Talbot, to the south and east of the Stikine.
Mr. Gibbons, to the west of the Stikine.
Mr. Brabazon, at Holkham Bay, on the east side of Stephen's Passage.
Mr. McArthur, at Snettisham Bay, and thence to Taku Inlet and Taku River.
Mr. Ogilvie, to the north and west of Taku Inlet, and east of Lynn Canal.

The Attachés of the United States' Commissioner accompanying them were as follows:—

Mr. Flemer with Mr. Talbot.
Mr. Pratt with Mr. Gibbons.
Mr. Ritter with Mr. Brabazon.
Mr. Welker with Mr. McArthur.
Mr. Hodgkins with Mr. Ogilvie.
Mr. Dickins working with Mr. Saint Cyr, as above stated.

In addition to the above, the United States' Commissioner stationed Mr. Morse at Sitka to make astronomical observations for the determination of chronometric differences of longitude between Sitka as a base station and the observatories established by Mr. Dickins at Arrrough's Bay with Dr. Edmonds as observer, by Mr. Tittmann at Fort Wrangell with Mr. Putnam as observer, and by Mr. Ogden at the mouth of the Taku River with Mr. French as observer.

At each of the above stations latitude and longitude were also determined. The United States' steamer "Hassler" was employed throughout the season in making the necessary exchanges of time, the chronometers being in charge of Mr. Lord.

The parties were on the ground, and the work begun in the middle of May; and, the early snow falls rendering mountain work impossible, it was found necessary to retire from the field in September.

During the following year, 1894, the following parties were placed in the field, on behalf of the United States' Commission:—

Mr. Pratt on the Chilkat Inlet and River and on Chilkoot and Taiya Inlets and Taiya River, he being engaged chiefly in triangulation.

Mr. Dickins on Unuk River and Chilkat Inlet.

Mr. Flemer on Chilkoot and Taiya Inlets.

Mr. Ritter on Chilkat Inlet and River.

Mr. McGrath on the coast westward from Yakutat Bay and at Lituya Bay.

Mr. Morse at Sitka longitude station.

Latitude and longitude were determined at the observatory at Anchorage Point, Pyramid Harbour, the steamer "Hassler" making the necessary chronometer trips as before.

Mr. Hayford made the observations at Pyramid Harbour and Mr. Page had charge of the chronometers on the "Hassler."

On behalf of the British Commission :—

Mr. Saint Cyr at the head of the Portland Canal and thence to the Chickamin River.

Mr. Klotz around Bradfield Canal.

Mr. Gibbons on the north of Frederick Sound from Horn Cliffs to Port Houghton.

Mr. Ogilvie on the east side of Lynn Canal, also on the outer coast beyond Cape Spencer.

Mr. McArthur at the north end of Lynn Canal and later on the outer coast at Lituya Bay.

Mr. Talbot on the west side of Lynn Canal towards Glacier Bay.

Mr. Robertson accompanied Mr. Pratt's party as Attaché for the British Commissioner. Except in this instance, the system of Attachés was discontinued by mutual consent of the Commissioners.

During the winter of 1894-95, a party under Mr. Ogilvie ascended the Taku River for the purpose of gaining additional information as to the region extending thence to the vicinity of White and Taiya Passes, which lead from Lynn Canal to the interior, but on account of tempestuous weather the expedition was obliged to return, having accomplished nothing beyond a traverse survey of part of Taku River.

During the season of 1895, Mr. Brabazon was detailed by the British Commissioner to the region lying between the mouth of the Alsek River and Yakutat Bay.

Mr. Welker and Mr. Dickins were sent by the United States' Commissioner to connect the surveys made in former years by the United States' Coast and Geodetic Survey in Portland Canal with those in Revillagigedo Channel, and to determine more accurately the longitude of the stations along the canal.

Mr. Dickins and Mr. Welker were placed in charge of parties in Alaska, and Mr. Morse was stationed at Seattle as Astronomer for the redetermination of the differences of longitude between that point and the observatories at Port Simpson, British Columbia, at Mary Island, Alaska, and at a station at the head of Portland Canal. The observations for latitude and longitude were made by Mr. French at Port Simpson, by Mr. Dickins, at Mary Island, and by Mr. Welker at Lion Point, Portland Canal.

Mr. Young was in charge of the chronometers carried by the steamer "City of Topeka" between Seattle and the stations at Port Simpson and Mary Island.

Comparisons between Port Simpson and Lion Point were effected by the United States' launch "Fuca."

The results of all these surveys are exhibited in the accompanying maps, namely, sheets Nos. 1 to 24, made on a scale of $\frac{1}{160000}$ with contour lines of elevations 250 feet apart, from the surveys of the British Commission; and in maps Nos. 1 to 12 of the United States' Commission, made on the same scale.

These maps have been agreed to by us, subject to the limitations hereinafter set forth, as correct representations of the topographical features, and have been signed by us to testify thereto. In submitting two sets of maps which cover the same ground, and which, to a large extent, have been prepared independently in the offices of the respective Commissioners at Washington at Ottawa, it is understood that wherever there is a difference between the maps, either from different methods of representing the topography or from discrepancy as to the position of natural features or otherwise, such difference is to be interpreted by reference to the hereinbefore described scheme of partition of the survey work between the respective Commissions; and where the surveys cover the same or nearly the same ground, the maps are to be taken as mutually explanatory, having regard to the conditions under which each survey was made. The continental shore line, from latitude $54^{\circ} 40'$ to Point Coverden, at the south-westerly entrance to Lynn Canal, having been surveyed by the United States' Coast and Geodetic Survey, the United States' maps

shall, in case of discrepancy, govern as to the shore line; so also from Yakutat Bay to the 141st meridian. But from Point Coverden north-westerly to Yakutat Bay, including Glacier Bay and the other Bays, which, with the exception to the entrance to Lituya Bay, have not been so surveyed, the maps of the British Committee shall govern. The shore line of the islands of the Alaskan archipelago have been mapped according to the surveys of the United States' Coast and Geodetic Survey, wherever such survey has been made; elsewhere the best information available has been used.

To show the topographical features of the country in another way, we herewith submit photographic views, being contact prints from the photographic negatives of the officers of the British Commission, whose work was largely executed as to the detail or "filling in" by means of these views, according to the method known as photo-topography, the framework being laid out by triangulations which are shown in sheets Nos. 25, 26, 27 and 28 of the British Commission. These views will also serve as a permanent record of the field work. Plans of the triangulation executed by the officers of the United States' Commission are submitted herewith on sheet No. 13 of the United States' Commission.

Besides the information contained in the maps, we have to report as to the point of commencement named in the Treaty of 1825, that the latitudes of Capes Muzon and Chacon as determined by the British observers are as follows:—

Cape Muzon, $54^{\circ} 39' 50''$.

Cape Chacon, $54^{\circ} 41' 25''$.

As determined by the United States' observers these latitudes are:—

Cape Muzon, $54^{\circ} 39' 48''$.

Cape Chacon, $54^{\circ} 41' 22''$.

These results are so nearly alike that there is no practical discrepancy between them.

Also, the summit of Mount St. Elias is by the best determination in latitude $60^{\circ} 17' 35'' \cdot 10$ and longitude $140^{\circ} 55' 47'' \cdot 32$, being 28·830 nautical miles from the line of coast west of Yakutat Bay, and 2·41 statute miles east of the 141st meridian.

We conceive it unnecessary for us, having prepared maps showing so much detail, to enter into a lengthy description of the topography. It may be well, however, to add some remarks upon the mode of occurrence of timber, since this is not shown on the maps.

Speaking broadly we may say that the average altitude of the timber line between Burrough's Bay and Lynn Canal is 2,500 feet, being a little higher in the south and a little lower in the north. Timber line is primarily a matter of heat, so that altitude and latitude have similar effect. However, in a country of which so much has but recently been uncovered from glaciers, timber line is affected by another factor, and that is the presence of soil for trees to take root. As the foot of a mountain is first exposed, the forest starts there, and in time, as exposure and consequent disintegration take place, creeps upward. Now there are many points in the area above referred to where this process of forest creeping has not reached the limit set by climatic conditions, and hence we find timber lines near each other, but varying in altitude by hundreds of feet. This is most noticeable on the west side of Lynn Canal. Naturally we would expect the timber line in the south to be higher than in the north, but as a matter of fact it is the reverse there, being scarcely 2,000 feet for the former, and nearly 3,000 feet for the latter. In general, the timber line on the east side of Lynn Canal is somewhat higher than on the west side. Around Juneau, the timber line does not reach the 2,000 feet limit. Between the entrance of Glacier Bay across Dundas and Taylor Bays and Cape Spencer the timber line may be put at 2,000 feet above the sea. In Glacier Bay, northward from the entrance, the timber line rapidly descends, and in the northern part the forest practically disappears altogether. In fact, along many of the smaller bays there, no wood whatever is found. This phenomenon is plainly indicative of the recent recession of the vast complex of glaciers. On the outside, between Lituya Bay and Cape Spencer, the line is barely 2,000 feet, while in Yakutat Bay it is 1,500 feet. Most of the mountains between Yakutat Bay and Lituya Bay are not timbered at all, but this is probably due—up to 2,000 feet—to the fact already stated, *i.e.*, that the recession of the glaciers is too recent to admit of the necessary disintegration for vegetation to spring up, as well as to the effect upon the temperature of the nearness of the existing glaciers.

The altitude of the timber line at various points is as follows :—

	Maximum.	Average.
	Feet.	Feet.
Portland Canal	2,600	2,500
Unuk River	2,900	2,600
Burrough's Bay	2,800	2,500
Bradfield's Canal	2,700	2,500
South of Stikine	2,700	2,500
North of Stikine .. .. .	..	2,500
Thomas Bay .. .. .	..	2,500
Endicott Arm	2,500	2,300
Snettisham Bay	2,700	2,400
Taku Inlet .. .. .	..	2,200
East side Lynn Canal	2,900	2,500
Head of Lynn Canal	3,000	2,500
West side of Lynn Canal	2,400	2,000
Outside, west of Cape Spencer	1,500	..

It is understood and agreed that in signing this joint Report and signing and accepting the maps they have submitted, it is not therefore affirmed or admitted by the Commissioners that there is authority for the application of the names used to designate the various places, mountains, bays, channels, islands, &c.

In witness whereof we have hereunto set our hands at Albany, New York, this 31st day of December, 1895.

(Signed)

W. W. DUFFIELD,

United States' Commissioner.

W. F. KING,

Her Majesty's Commissioner.

The Clerk of the Queen's Privy Council for Canada, certifies that the joint Report of William Ward Duffield, United States' Commissioner, and William Frederick King, Her Majesty's Commissioner duly appointed to ascertain the facts and data necessary to the permanent delimitation, of the boundary-line between the United States of America and the Dominion of Canada dividing the territory of Alaska from the Province of British Columbia, was submitted to his Excellency the Governor-General in Council on the 25th February, 1896, and that the above is a true copy thereof.

(Signed)

JOHN J. MCGEE,

Clerk of the Queen's Privy Council for Canada.

February 25, 1896.

No. 9.

Foreign Office to Colonial Office.

Sir,

Foreign Office, March 26, 1896.

WITH reference to my letter of the 12th instant respecting the Alaska Boundary Survey, I am directed by the Marquess of Salisbury to transmit to you herewith a copy of a despatch from Sir Julian Pauncefote, inclosing copies of the note which he addressed to the Secretary of State and of the reply which he has received.*

Lord Salisbury would be glad to learn what answer Mr. Secretary Chamberlain would wish to be returned to the proposal of the United States' Government for fixing a permanent line which would be deemed to coincide with the 141st meridian.

I am, &c.

(Signed)

T. H. SANDERSON.

* See No. 7.

No. 10.

Colonial Office to Foreign Office.—(Received March 30.)

Sir,

Downing Street, March 28, 1896.

IN reply to your letter of the 26th instant respecting the boundary of Alaska to the north of Mount Elias, I am directed by Mr. Secretary Chamberlain to state, for the information of the Marquess of Salisbury, that he thinks the question of accepting the proposal of the United States' Government is one which should be left mainly to the Government of Canada, and he has therefore sent the inclosed telegram to the Governor-General asking for the views of his Ministers on the question, and desiring him to communicate them also direct to Her Majesty's Ambassador at Washington.

I am, &c.

(Signed) JOHN BRAMSTON.

Inclosure in No. 10.

Mr. Chamberlain to the Earl of Aberdeen.

(Telegraphic.)

Downing Street, March 28, 1896, 1.30 p.m.

WHAT are views of your Ministers as to proposal contained in Olney's despatch of 11th March, meridian boundary Alaska; also inform Pauncefote direct.

No. 11.

Colonial Office to Foreign Office.—(Received May 21.)

Sir,

Downing Street, May 21, 1896.

WITH reference to previous correspondence respecting the Alaska boundary, I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, a copy of a note from the Intelligence Department of the War Office, suggesting that the Joint Commission should be instructed to consider and report whether a convenient natural boundary could not be found in place of the 141st meridian.

Mr. Chamberlain is not disposed to favour a proposal for opening up this part of the boundary question, and he desires me to inclose the draft of a despatch which, if Lord Salisbury concurs, he proposes to address to the Governor-General on the subject.

I am, &c.

(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 11.

Intelligence Department to Colonial Office.

THE Director of Military Intelligence presents his compliments to the Under-Secretary of State for the Colonies, and, with reference to the latter part of the Foreign Office despatch of the 26th March last inclosed in the papers recently forwarded from the Colonial Office, begs to observe that the conclusion of the Convention proposed by the United States for marking the exact boundary of Alaska along the 141st degree of west longitude appears to be desirable.

The Director of Military Intelligence would suggest that it may be advisable to instruct the Joint Commission to consider and report whether for practical purposes a more convenient boundary than the straight line of the 141st meridian might not be found by following great natural features in the vicinity of that meridian, such as

mountain crests and river valleys, in such a manner as to assign to the contracting parties territories of approximately equivalent extent or value on either side of the line.

*Intelligence Division,
18, Queen Anne's Gate, S.W.,
April 30, 1896.*

Inclosure 2 in No. 11.

Draft of Despatch to the Earl of Aberdeen.

(Confidential.)

My Lord,

Downing Street, May , 1896.

I HAVE the honour to transmit to you, to be laid before your Ministers, a copy of a note from the Intelligence Department of the War Office, suggesting that the Alaska Boundary Commission should be directed to consider and report whether for practical purposes a more convenient boundary than the 141st meridian might not be found by following great natural features in the vicinity of that meridian in such a manner as to assign to the contracting parties territories of approximately equivalent value on either side of the line.

The matter is mainly one for your Ministers to decide, but I fear that any attempt to fix a natural boundary instead of the meridian line assigned by the Treaty would indefinitely postpone a settlement of the question.

The Commissioners might, however, be authorized, if your Ministers and the Government of the United States think it desirable, to recommend jointly any suitable deviations which might suggest themselves to them in the course of the survey.

I have, &c.

No. 12.

Foreign Office to Colonial Office.

Sir,

Foreign Office, May 27, 1896.

I LAID before the Marquess of Salisbury your letter of the 21st instant respecting the boundary between the Dominion of Canada and Alaska.

His Lordship concurs in the terms of the despatch which Mr. Secretary Chamberlain proposes to address to the Governor-General of Canada, suggesting that the Commissioners might be authorized, if it is thought desirable, to recommend any suitable deviations from the line of the 141st meridian in order to make the boundary follow the natural features of the country.

I am, &c.

(Signed) FRANCIS BERTIE.

No. 13.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received November 5.)

(No. 299.)

My Lord,

Washington, October 25, 1896.

WITH reference to my despatch No. 100 of the 13th March last, and your Lordship's despatch No. 91 of the 1st April, respecting the proposal made by the United States that the two Governments should, by a new Convention, agree upon certain points of the 141st meridian for the demarcation of the Alaska boundary, I have the honour to transmit herewith copy of a Minute, approved by the Governor-General of Canada on the 28th ultimo, intimating the concurrence of the Dominion Government in the course suggested by the United States' Government.

I have this day addressed a note to the Secretary of State informing him of the above. A copy of my note is inclosed herewith.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure 1 in No. 13.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 28th September, 1896.

THE Committee of the Privy Council have had under consideration a despatch hereto attached, dated the 29th July, 1896, from Her Majesty's Ambassador at Washington, inquiring whether any decision has been reached by the Government of Canada on the question of accepting the proposal of the Government of the United States with regard to the joint survey and demarcation of the 141st meridian of longitude, which by Treaty forms a portion of the boundary between Canada and the United States' territory of Alaska.

The acting Minister of the Interior, to whom the despatch was referred, reports as follows :—

That the proposal above referred to is set forth in a letter from the Honourable Richard Olney, Secretary of State of the United States, to Her Majesty's Ambassador, dated the 11th March, 1896, and is to the effect that the two Governments shall, by a new Convention, agree upon certain points of the 141st meridian at the intersection of the principal streams, locating the same at points midway between the determinations of the coast and geodetic survey and of Mr. Ogilvie, and providing for the junction of the points so located by convenient joint surveys as occasion may require until the entire line shall in time be established. The points referred to as having been established by both the coast and geodetic survey and Mr. Ogilvie are the intersections of the meridian with the Yukon River and Forty Mile Creek.

The Minister further states that in April 1896 the Honourable T. Mayne Daly, then Minister of the Interior, recommended to your Excellency in Council the acceptance of Mr. Olney's proposal. Parliament being at the time in Session, press of other matters prevented action at that time, and in May the recommendation was referred back to Mr. Daly's successor in office, the Honourable H. J. Macdonald, who concurred in the principle of the recommendation, but the approach of the general elections, and afterwards the change of Government, has since further deferred action upon the matter.

The Minister submits that in his judgment also Mr. Olney's proposal affords the readiest solution of the question, and one that should be satisfactory to both nations, and he recommends that Her Majesty's Ambassador at Washington be informed that this Government is prepared to join with the Government of the United States in a survey of the 141st meridian in accordance with Mr. Olney's proposal, the work to commence as early as possible in 1897, and to be conducted by joint surveys as occasion may require until the entire line shall be established.

The Committee, on the recommendation of the Acting Minister of the Interior, advise that your Excellency be moved to inform Her Majesty's Secretary of State for the Colonies that this Government has substantially accepted Mr. Olney's proposal, and that communication has been opened directly with Her Majesty's Ambassador at Washington; and further that, although from the severity of the climate in that region the actual joint survey probably cannot be begun until next spring, this Government proposes to ask Parliament at the present Session for a sufficient sum to enable the survey to be commenced whenever the season or the arrangements between the two Governments render it advisable.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE,

Clerk of the Privy Council.

Annex (A).

Sir J. Pouncefote to the Earl of Aberdeen.

(No. 59.)

My Lord,

Washington, July 29, 1896.

IN my despatch No. 28 of the 13th March last, I had the honour to transmit to your Excellency copy of a note dated the 11th March, from the United States' Secretary of State, in which he made a proposal for the settlement of that portion of the Canadian and Alaskan boundary which runs along the 141st meridian.

Shortly after the date of my above despatch I was informed by Her Majesty's

Government that Her Majesty's Secretary of State for the Colonies had, on the 28th March last, consulted the Canadian Government by telegraph with the request that the views of your Excellency's Ministers should be communicated directly to me.

Not having yet received any communication from your Excellency on the subject, I venture to ask whether any decision has been arrived at on the question of accepting the proposal of the United States' Government.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

Inclosure 2 in No. 13.

Sir J. Pauncefote to Mr. Olney.

Sir,

Washington, October 25, 1896.

I REFERRED to the Governor-General of Canada your note of the 11th March last, proposing that the two Governments should, by a new Convention, agree upon certain points of the 141st meridian at the intersection of the principal streams, locating the same at points midway between the determinations of the coast and geodetic survey and of Mr. Ogilvie, and providing for the junction of the points so located by convenient joint surveys as occasion may require, until the entire line shall in time be established.

I have now the honour to inform you that I am in receipt of a despatch from the Deputy Governor of Canada, stating that the Canadian Government are prepared to join with the Government of the United States in a survey of the 141st meridian, in accordance with the proposal made in your above-mentioned note.

The Canadian Government propose that work should commence as early as possible in 1897, and be continued thereafter as occasion may require, until the entire line be established.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

Printed for the use of the Foreign Office. October 1898.

CONFIDENTIAL.

(7054.)

PART IX.

FURTHER CORRESPONDENCE

RESPECTING THE

BOUNDARY BETWEEN THE BRITISH POSSESSIONS IN
NORTH AMERICA

AND THE

TERRITORY OF ALASKA.

1897.

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CONFIDENTIAL.

Further Correspondence respecting the Boundary between the
British Possessions in North America and the Territory of
Alaska.

PART IX.

No. 1.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received January 11, 1897.)

(No. 360.)

My Lord,

Washington, December 28, 1896.

WITH reference to my despatch No. 299 of the 25th October last, respecting the proposal of a new Convention to settle the portion of the boundary between Canada and Alaska running along the 141st meridian, I have the honour to transmit, herewith, copy of a note from the United States' Secretary of State, to whom I addressed a further note on the 30th ultimo, pressing for a reply to my note to Mr. Olney of the 25th October, copy of which was inclosed in my despatch No. 299 to your Lordship.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 1.

Mr. Olney to Sir J. Pauncefote.

Excellency,

Washington, December 26, 1896.

ACKNOWLEDGING your note of the 30th November, requesting that I expedite the reply to your previous note of the 25th October, respecting the proposal of a new Convention to settle the location of the 141st meridian for the demarcation of the Alaskan Boundary, I have the honour to state that your note of the 25th October was having consideration, and progress has been made towards the preparation of a draft Convention for locating monuments on the 141st meridian, in accordance with the suggestion of the Canadian Government, communicated in your above-mentioned note. It is thought that this draft Convention may be ready to submit to your Excellency in a few days.

I have, &c.

(Signed) RICHARD OLNEY.

No. 2.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received January 18.)

(No. 5.)

My Lord,

Washington, January 6, 1897.

WITH reference to my despatch No. 360 of the 28th ultimo and to previous correspondence respecting the proposal of a new Convention to settle the portion of the boundary between Canada and Alaska running along the 141st meridian, I have the honour to transmit herewith copy of a note which I have received from the

Secretary of State, forwarding a draft Convention, which has been prepared by the Department of State for the consideration of Her Majesty's Government.

Mr. Olney desires to know whether the draft Convention, copy of which is inclosed, meets with the approval of Her Majesty's Government.

I have forwarded a copy of the draft Convention to the Governor-General of Canada in order to avoid delay, as the Government of the Dominion are anxious that the arrangements for the joint survey should be completed as early as possible.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure 1 in No. 2.

Mr. Olney to Sir J. Pauncefote.

Excellency,

Department of State, Washington, January 5, 1897.

REFERRING to my note of the 26th ultimo to you, relative to the proposed Convention for locating monuments on the 141st meridian, I now have the honour to transmit to you herewith a draft Convention which has been prepared by the Department for the consideration of Her Majesty's Government.

If the draft shall be found to meet the views of your Government, the Department will take pleasure in preparing engrossed copies in duplicate for signature.

I have, &c.

(Signed) RICHARD OLNEY.

Inclosure 2 in No. 2.

Draft Convention between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, for the demarcation of so much of the 141st meridian of West Longitude as may be necessary for the determination of the Boundary between their respective Possessions in North America.

WHEREAS by a Treaty between the United States of America and His Majesty the Emperor of all the Russias, for the cession of the Russian possessions in North America to the United States, concluded the 30th March, 1867, the most northerly part of the boundary-line between the said Russian possessions and those of Her Britannic Majesty, as established by the prior Convention between Russia and Great Britain of the 26th (16th) February, 1825, is defined as following the 141st degree of longitude west from Greenwich, beginning at the point of intersection of the said 141st degree of west longitude with a certain line drawn parallel with the coast, and thence continuing from the said point of intersection upon the said meridian of the 141st degree in its prolongation as far as the Frozen Ocean;

And whereas, the location of said meridian of the 141st degree of west longitude between the terminal points thereof defined in said Treaties, is dependent upon the scientific ascertainment of convenient points along the said meridian and the survey of the country intermediate between such points, involving no question of interpretation of the aforesaid Treaties but merely the determination of such points and their connecting lines by the ordinary processes of observation and survey conducted by competent astronomers, engineers, and surveyors;

And whereas, such determination has not hitherto been made by a joint survey as is requisite in order to give complete effect to said Treaties, although independent observations and surveys have been conducted from time to time, and are now being conducted, by expert officers in the service of their respective Governments along the said meridian of the 141st degree of west longitude, resulting in the collection of scientific data and the establishment of stations on or near said meridian, of which the two Governments may avail themselves for the purpose of accomplishing the object of this Convention;

The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being equally desirous to provide for the

removal of any possible cause of difference between their respective Governments in regard to the location of the said 141st meridian of west longitude, have resolved to conclude a Convention to that end, and for that purpose have appointed as their respective Plenipotentiaries,

The President of the United States of America,
and , Her Majesty the Queen of the United Kingdom
of Great Britain and Ireland ;

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following Articles :—

ARTICLE I.

Each Government shall appoint one Commissioner, with whom may be associated such surveyors, astronomers, and other assistants as each Government may elect.

The Commissioners shall, at as early a period as practicable, proceed to trace and mark under their joint direction, and by joint operations in the field, so much of the 141st meridian of west longitude as is necessary to be defined for the purpose of determining the exact limits of the territory ceded to the United States by the Treaty between the United States and Russia of the 30th March, 1867.

Inasmuch as the summit of Mount St. Elias, although not ascertained to lie in fact upon said 141st meridian, is so nearly coincident therewith that it may conveniently be taken as a visible landmark whereby the initial part of said meridian shall be established, it is agreed that the Commissioners, should they conclude that it is advisable so to do, may deflect the most southerly portion of said line so as to make the same range with the summit of Mount St. Elias, such deflection not to extend more than 20 geographical miles northwardly from the initial point.

ARTICLE II.

The data relating to determinations already made at this time by either of the two Governments concerned, of points on or near the 141st meridian for the purpose of fixing its position, shall be submitted by each Government to the Commissioners, who shall decide which of the results of the determinations shall be adopted by them.

In case of disagreement between the Commissioners as to the correct geographical co-ordinates of one and the same point determined by either of the two Governments separately, a position midway between the two locations in question of the 141st meridian shall be adopted, provided the discrepancy between them shall not exceed 1,000 feet.

In case of a greater discrepancy a new joint determination shall be made by the Commissioners.

ARTICLE III.

The location of the 141st meridian, as determined hereunder, shall be marked by intervisible objects, natural or artificial, at such distances apart as the Commissioners shall agree upon, and by such additional marks as they shall deem necessary, and the line when and where thus marked, in whole or in part, shall be deemed to permanently define for all international purposes the 141st meridian mentioned in the Treaty of the 30th March, 1867, between the United States and Russia, and in the Treaty of the 15th (28th) February, 1825, between Great Britain and Russia.

The location of the marks shall be described by such views, maps, and other means as the Commissioners shall decide upon, and duplicate records of these descriptions shall be attested by the Commissioners jointly, and be by them deposited with their respective Governments, together with their final Report hereinafter mentioned.

ARTICLE IV.

Each Government shall bear the expenses incident to the employment of its own appointees, and of the operations conducted by them, but the cost of material used in permanently marking the meridian, and of its transportation, shall be borne jointly and equally by the two Governments.

ARTICLE V.

The Commissioners shall diligently prosecute the work to its completion, and they shall submit to their respective Governments from time to time, and at least once in every calendar year, a joint report of progress, and a final comprehensive Report upon the completion of the whole work.

The present Convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty, and the ratifications shall be exchanged at Washington or in London as soon as possible within twelve months from the date hereof.

In faith whereof we, the respective Plenipotentiaries, have signed this Convention, and have hereunto affixed our seals.

Done in duplicate in Washington the day of , 189

No. 3.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received January 20.)

(No. 14.)

(Telegraphic.) P.

Washington, January 20, 1897.

MR. OLNEY urges, for political reasons, that the matter of the Alaskan Convention for determining the Meridian be proceeded with with the utmost expedition.

The question was referred to in my despatch No. 5 to your Lordship of the 5th instant.

No. 4.

Foreign Office to Colonial Office.

Sir,

Foreign Office, January 22, 1897.

WITH reference to my letter of the 11th November, I am directed by the Marquess of Salisbury to transmit to you copies of further despatches from Her Majesty's Ambassador at Washington relating to the Alaska Boundary.*

In the latter of these despatches Sir J. Pauncefote incloses a draft Convention, which has been prepared in the Department of State, for the consideration of Her Majesty's Government.

A telegram has also been received from Sir Julian, stating that, for political reasons, Mr. Olney urges that the utmost expedition should be employed in the matter, and I am to suggest that the Governor-General of Canada should be informed by telegraph of Mr. Olney's wishes in this respect.

It will be observed that the draft Convention has already been communicated to the Canadian Government, who appear to be likewise anxious that the arrangements for determining the meridian should be completed without delay.

I am, &c.

(Signed) F. H. VILLIERS.

No. 5.

Colonial Office to Foreign Office.—(Received January 25.)

Sir,

Downing Street, January 23, 1897.

IN reply to your letter of the 22nd instant respecting the Alaska boundary question, I am directed by Mr. Secretary Chamberlain to acquaint you, for the information of the Marquess of Salisbury, that the matter, in his opinion, is one which must be left mainly with the Canadian Government.

* Nos. 1 and 2.

He proposes, therefore, if Lord Salisbury sees no objection, to telegraph to the Governor-General as in the inclosed draft.

I am to take the opportunity of transmitting copy of a despatch and its inclosures, received from Lord Aberdeen, in which his Ministers urge an early settlement of the question.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 5.

Draft Telegram from Mr. Chamberlain to the Earl of Aberdeen.

TELEGRAPH views of your Ministers as to draft Convention, Alaska boundary, proposed by United States' Government. If they have serious objection to draft Convention, would suggest Delegate should be sent to discuss question with Pouncefote.

Inclosure 2 in No. 5.

The Earl of Aberdeen to Mr. Chamberlain.

Sir, *Government House, Ottawa, January 7, 1897.*

WITH reference to your Confidential despatch of the 19th November last, on the subject of the Alaska boundary, I have the honour to inclose copy of an approved Minute of the Privy Council, from which you will observe that Ministers are anxious to learn whether the United States' Government will concur in the proposal to commence operations for the demarcation of the 141st meridian as early as possible next spring.

I have communicated a copy of the Minute of Council to Her Majesty's Ambassador at Washington with a request that he would ascertain the views of the United States' Government.

I have, &c.
(Signed) ABERDEEN.

Inclosure 3 in No. 5.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 24th December, 1896.

THE Committee of the Privy Council have had under consideration a Colonial Office despatch, hereto attached, dated the 13th November, 1896, transmitting a copy of a despatch, dated the 25th October, 1896, with its inclosures, from Her Majesty's Ambassador at Washington to the Marquess of Salisbury, respecting the Alaska boundary.

The Minister of the Interior, to whom the said despatch and its inclosures were referred, submits that concurrence with the proposal of the Secretary of State of the United States to divide the difference between Mr. Ogilvie's and Messrs. Magrath and Turner's determinations of the crossings of the 141st meridian by the Yukon River and Forty Mile Creek having been expressed by your Excellency in Council on the 28th September, 1896, it is now very desirable that the Canadian Government should be informed at the earliest possible date of the decision which has been reached by the Government of the United States as to the proposal contained in the last paragraph of the approved Minute of Council of the 28th September, 1896, namely, that steps should be taken by the two Governments to have operations upon the ground for the demarcation of the 141st meridian on either side of the points agreed upon at the above-cited river-crossings commenced as early as possible next spring.

The Minister further submits that if this proposal meets with the concurrence of the Government of the United States, negotiations between the Governments with a view to the conclusion of the arrangements for the joint survey would be initiated without delay.

The Committee advise that your Excellency be moved to communicate with Her Majesty's Ambassador to the United States, in the sense of this Minute.

All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

No. 6.

Colonial Office to Foreign Office.—(Received January 25.)

Sir,

Downing Street, January 25, 1897.

WITH reference to the letter from this Department of the 23rd instant, respecting the Alaska boundary question, I am directed by Mr. Secretary Chamberlain to transmit to you, for the information of the Marquess of Salisbury, copies of two telegrams from the Governor-General of Canada, stating that his Ministers approve of the draft Convention proposed by the United States' Government.

In these circumstances, Mr. Chamberlain presumes that instructions will be sent to Her Majesty's Ambassador at Washington, that Her Majesty's Government concur in the views of the Dominion Government, and that he is authorized to sign the Convention.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 6.

The Earl of Aberdeen to Mr. Chamberlain.

(Telegraphic.)

(Received January 23, 1897, 6.55 P.M.)

DRAFT of Convention for determination of Alaskan meridian approved of and accepted by Dominion Government. Despatch follows by mail.

Inclosure 2 in No. 6.

The Earl of Aberdeen to Mr. Chamberlain.

(Telegraphic.)

(Received January 23, 1897.)

IN answer to your telegram, draft of Convention, Alaska, approved to-day. Have informed Pauncefote.

No. 7.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 16.)

(Telegraphic.) P.

Foreign Office, January 26, 1897.

ALASKA Boundary: Your telegram No. 14 of the 20th instant.

The approval of the draft Convention by the Canadian Government has the concurrence of Her Majesty's Government.

I authorize you to sign the Convention.

No. 8.

Foreign Office to Colonial Office.

Sir,

Foreign Office, January 28, 1897.

WITH reference to your letters of the 23rd and 25th instant, respecting the Alaska Boundary, I am directed by the Marquess of Salisbury to inform you that, in accordance with Mr. Secretary Chamberlain's suggestion, his Lordship informed Her Majesty's Ambassador at Washington by telegraph on the 26th instant that Her Majesty's Government concur in the approval by the Canadian Government of the draft Convention, and that his Excellency is authorized to sign it.

I am, &c.

(Signed) F. H. VILLIERS.

No. 9.

Sir J. Pouncefote to the Marquess of Salisbury.—(Received February 13.)

(No. 32.)

My Lord,

Washington, January 30, 1897.

WITH reference to your Lordship's telegram No. 16 of the 26th instant, I have the honour to inform your Lordship that the Alaskan Convention between Great Britain and the United States was signed to-day by Mr. Olney and myself.

I have retained the duplicate original of the Convention in case of any amendments being suggested previous to its ratification by the Senate which may be acceptable to Her Majesty's Government.

I have, &c.

(For Sir Julian Pouncefote),
(Signed) GOUGH.

No. 10.

Colonial Office to Foreign Office.—(Received February 13.)

Sir,

Downing Street, February 12, 1897.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 5th instant, a copy of a despatch from the Governor-General of Canada on the subject of the Alaska boundary.

I am, &c.

(Signed) R. H. MEADE.

Inclosure 1 in No. 10.

The Earl of Aberdeen to Mr. Chamberlain.

Sir,

Government House, Ottawa, January 26, 1897.

WITH reference to my despatch of the 12th instant relative to the draft Convention proposed by the United States' Government for the demarcation of a portion of the Alaska boundary, I have the honour to forward herewith copy of an approved Minute of the Privy Council, from which you will observe that the draft Convention meets with the full approval of my Ministers.

I have communicated copy of the Minute of Council to Her Majesty's Ambassador at Washington.

I have, &c.

(Signed) ABERDEEN.

Inclosure 2 in No. 10.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 23rd January, 1897.

THE Committee of the Privy Council have had under consideration a despatch, hereto attached, dated the 6th January, 1897, from Her Majesty's Ambassador to the United States, forwarding copy of a draft Convention which has been prepared by the State Department of the United States on the subject of the delimitation of that portion of the boundary between Canada and the territories of the United States in Alaska which lies between the point of intersection of the 141st degree of west longitude with a certain line drawn parallel to the coast and the Frozen Ocean, according to the definition of that boundary contained in the third paragraph of the Treaty of St. Petersburg, in respect to which it is accurately stated in the preamble that no question of interpretation of the Treaty is involved, but merely the scientific ascertainment of convenient points along the meridian and the survey of the country intermediate between such points by the ordinary processes of observation and survey.

The Committee, on the recommendation of the Minister of the Interior, advises that your Excellency be moved to inform the Right Honourable the Marquess of Salisbury and Her Majesty's Ambassador to the United States that the draft Convention as submitted has been approved and accepted by the Government of Canada.

All of which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. McGEE,

Clerk of the Privy Council.

No. 11.

Colonial Office to Foreign Office.—(Received July 14.)

Sir,

Downing Street, July 13, 1897.

WITH reference to your letter of the 8th March and previous correspondence on the subject of the Alaska Boundary Convention, I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, the accompanying copy of a despatch from the Governor-General of Canada transmitting an approved Minute of the Dominion Privy Council respecting the amendment of the Convention which is said to be contemplated by the United States' Senate with regard to that part of it which defines a portion of the line by reference to the Peak of Mount St. Elias.

Mr. Chamberlain proposes, with Lord Salisbury's concurrence, to reply that if any modification of the Treaty is made by the United States' Senate the Dominion Government will be consulted before it is agreed to by Her Majesty's Government.

I am, &c.

(Signed)

JOHN BRAMSTON.

Inclosure 1 in No. 11.

The Earl of Aberdeen to Mr. Chamberlain.

Sir,

Government House, Ottawa, Canada, June 23, 1897.

I HAVE the honour to forward herewith, for your consideration, a copy of an approved Minute of the Privy Council representing that information has been received that an amendment to the Convention for the delimitation of the Alaska boundary is in contemplation by the United States' Senate which may seriously alter the effect of that part of the Convention which relates to the defining of a portion of the line by reference to the Peak of Mount St. Elias.

You will observe that Ministers would be glad, therefore, to be afforded an opportunity of considering any amendments added to the Treaty before its final ratification.

I have, &c.

(Signed)

ABERDEEN.

Inclosure 2 in No. 11.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 12th June, 1897.

ON a Report dated the 5th June, 1897, from the Minister of the Interior, submitting, with reference to the Convention providing for the delimitation of the 141st meridian between Canada and the United States' territory of Alaska, which has been signed by Her Majesty's Ambassador at Washington and the Secretary of State of the United States, and has been transmitted to the Senate of the United States for their action thereon, that, according to information received, an amendment is in contemplation which may seriously alter the effect of that part of the Convention which relates to the defining of a portion of the line by reference to the Peak of Mount St. Elias.

The Minister further submits that the approval of the draft Convention signified by your Excellency in Council on the 23rd January, 1897, presupposed no essential change in the terms of the Convention.

The Committee, on the recommendation of the Minister of the Interior, advise that your Excellency be moved to inform the Most Honourable the Marquess of Salisbury and Her Majesty's Ambassador to the United States of the desire of the Government of Canada to be afforded an opportunity of considering any amendments added to the Treaty before it is finally ratified.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE,

Clerk of the Privy Council.

No. 12.

Foreign Office to Colonial Office.

Sir,

Foreign Office, July 17, 1897.

I LAID before the Marquess of Salisbury your letter of the 13th instant, and I am directed to express his Lordship's concurrence in the reply which Mr. Secretary Chamberlain proposes to return to the Governor-General of Canada respecting the Alaska Boundary Convention, informing his Excellency that the Dominion Government will be consulted before any modification of the Convention is agreed to by Her Majesty's Government.

I am, &c.

(Signed)

F. H. VILLIERS.

Printed for the use of the Foreign Office. July 1899.

CONFIDENTIAL.

(7161.)

PART X.

FURTHER CORRESPONDENCE

RESPECTING THE

B O U N D A R Y

BETWEEN THE

BRITISH POSSESSIONS IN NORTH AMERICA
AND THE TERRITORY OF ALASKA.

[For continuation of Correspondence, September 1898 to February 1899, see
Joint Commission Series.]

February to September 1898.

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CONFIDENTIAL.

Further Correspondence respecting the Boundary between the
British Possessions in North America and the Territory of
Alaska.

PART X.

No. 1.

Colonial Office to Foreign Office.—(Received February 3.)

(Confidential.)

Sir,

Downing Street, February 2, 1898.

I AM directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, a copy of a telegram from the Governor-General of Canada respecting the difficulties arising from the unsettled position of the Alaska boundary in connection with the routes to the gold-fields on the Klondike.

Mr. Chamberlain has informed the Governor-General, in reply, that a copy of his message has been communicated to you, and has desired him to suggest, for the consideration of his Minister, the question whether the time has not arrived when the Government of the United States should be approached with a view to a definite settlement of the Alaskan boundary to the south of Mount Elias.

I am, &c.
(Signed) FRED. GRAHAM.

Inclosure in No. 1.

The Earl of Aberdeen to Mr. Chamberlain.

(Telegraphic.)

[Undated.]

MY responsible advisers inform me that Yukon gold district can at present be reached only through United States' waters and through Skagway and Dyea, which places are and have been in possession of United States, though asserted to be in Canadian territory.

My Government have been and are sending their supplies and police through Skagway.

They consider that the furthest inland limit which the United States could possibly establish is that summit of the mountains in White Pass (which is Skagway trail) and Chilkoot Pass (which is Dyea trail).

Instructions have been sent to Canadian police and Customs officers to establish posts and collect duties at these summits. These instructions have now been repeated to Canadian officers, as my Government learned this morning that United States' officers have lately received instructions to claim jurisdiction down Lakes Lindeman and Bennet, and disputes have already occurred.

Nearly all in gold-mines are United States' citizens, so there is possibility of trouble.

The impossibility of getting to the place through Canadian territory renders difficulty of the position more acute.

My Government have fifty mounted policemen and supplies, for the present, in the passes, and more are going forward.

When disputes are made known at Washington, it is possible United States' authorities may forbid further Canadian goods or men being sent through Skagway or Dyea. My responsible advisers therefore suggest that no communication be held with United States' authorities on this subject for eight days, so as to enable the latest men and supplies to pass through unhindered.

The importance of avoiding any concession to unjust territorial claims cannot be overestimated. A large influx of United States' miners is now beginning, and difficulty of maintaining Canadian authority will be increased by questions of disputed jurisdiction. The entire boundary line is unsettled, and a concession at one point would be probably the signal for similar unfounded claims along the whole boundary line.

No. 2.

Colonial Office to Foreign Office.—(Received February 3.)

(Secret.)

Sir,

Downing Street, February 3, 1898.

I AM directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, copies of two telegrams from the Governor-General of Canada respecting an application by the United States' Government for permission for an armed force to pass through Canadian territory to Circle City in connection with the relief expedition.

In view of the understanding arrived at between the United States' Secretary for War and the Canadian Minister of the Interior, the application appears to Mr. Chamberlain to require strong grounds to justify it.

At the same time, as any Canadian force for the mining district on the Klondike and Yukon must pass through United States' territory, and permission for such passage has hitherto been freely given, it is necessary to avoid any action which would afford the United States' Government a pretext for refusing passage to further Canadian force, if it should be found necessary to send reinforcements to the mounted police already there in the event of serious disturbance.

Mr. Chamberlain proposes, if Lord Salisbury concurs, to telegraph to the Governor-General in the terms of the accompanying draft, and he would suggest that Her Majesty's Ambassador at Washington should be instructed to ascertain confidentially what United States force of police or military there is at present at Circle City, and whether an increase is urgently required, and that he should also ascertain officially on what grounds application has been made for the passage of an armed force contrary to the understanding arrived at by the United States' Government with the Canadian Minister of Interior.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure 1 in No. 2.

The Earl of Aberdeen to Mr. Chamberlain.

(Telegraphic.)

[Undated.]

ASSISTANT-SECRETARY MEIKLEJOHN, on behalf of United States' Government, has requested my Government to permit armed United States' force in charge of relief supplies being forwarded by United States' Government, to pass Canadian territory to Circle City, Alaska.

This request is directly contrary to an unofficial understanding my Minister of the Interior came to with United States' Secretary for War lately at Washington, viz., Canadian Government should furnish escort for expedition after it reached summit of pass, beyond which point no United States' armed force should proceed, although certain United States' officers mentioned in a letter to Assistant-Secretary from my Minister of the Interior, dated 27th January, might accompany expedition.

My responsible advisers are anxious there should be no misunderstanding on this point, and suggest that immediate representation should be made to Washington authorities

that arrangement come to must be observed, and that armed United States' force cannot accompany the supply expedition beyond provisional boundary-line at the summit of the pass.

The guard agreed upon to escort expedition through Canadian territory has already been provided by my Government.

Inclosure 2 in No. 2.

Mr. Chamberlain to the Earl of Aberdeen.

(Telegraphic.)

[Undated.]

YOUR telegram of 2nd instant.

On what grounds is application made for passage of armed force to Circle City? Have your Ministers reason to believe that United States' force now there is sufficient to maintain law and order, and protect relief expedition beyond Canadian border?

If not, and force for which passage desired is not larger than necessary for these purposes, it would be difficult to justify refusal, Canadian force having already passed through United States' territory, and further application, may have to be made by your Ministers in the near future.

Meantime Ambassador at Washington will be instructed to ask for explanations.

Inclosure 3 in No. 2.

The Earl of Aberdeen to Mr. Chamberlain.

(Private and Confidential.)

(Telegraphic.)

[Undated.]

THE message which accompanies this is one which my Premier has asked me to send with urgency to Her Majesty's Ambassador at Washington, but I consider it proper to send it to you, though telegraphing copy to Her Majesty's Ambassador at Washington for his information and saying I have telegraphed you.

There seems to be ground for some anxiety as to risk of disturbance, though, fortunately, not yet known to press here.

No. 3.

The Marquess of Salisbury to Sir J. Parncefote.

(No. 6.)

(Telegraphic.) P.

Foreign Office, February 3, 1898.

ASCERTAIN officially, with reference to the telegram from the Governor-General of Canada of the 2nd February, which he has repeated to you, on what grounds application has been made, contrary to the understanding arrived at by the United States' Government with Canadian Minister of the Interior, for the passage of an armed force through Canadian territory.

Endeavour also to ascertain confidentially what American force of military or police is at present at Circle City, and whether there is any urgent need for its increase.

No. 4.

Foreign Office to Colonial Office.

(Secret.)

Sir,

Foreign Office, February 4, 1898.

I LAID before the Marquess of Salisbury your letter of the 3rd instant respecting the application of the United States' Government for permission for an armed force to pass through Canadian territory to Circle city in connection with the expedition for the relief of the miners in the Yukon districts; and I am to state that his Lordship concurs in the terms of the telegram which Mr. Secretary Chamberlain proposes to send to the Governor-General of Canada on the subject.

Her Majesty's Ambassador at Washington was yesterday instructed by telegraph, in accordance with the suggestion made in your letter, to ascertain officially on what grounds this application was made by the United States' Government, in view of the understanding arrived at with the Canadian Minister of the Interior on the subject.

Sir J. Pauncefote was further desired to endeavour to ascertain confidentially what American force of police or military is at present at Circle city, and whether an increase is urgently required.

I am, &c.
(Signed) F. H. VILLIERS.

No. 5.

Colonial Office to Foreign Office.—(Received February 7.)

(Confidential.)

Sir,

Downing Street, February 5, 1898.

WITH reference to your letter of the 4th instant respecting the application of the United States' Government for permission to send an armed escort through Canadian territory with the relief expedition for Circle City, I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, a copy of a further telegram from the Governor-General of Canada on the subject.

Mr. Chamberlain entirely concurs in the view of the Dominion Government that the United States' escort while in Canadian territory should be subject to the same regulations as are imposed on detachments of the Canadian mounted police while passing through United States' territory.

Mr. Chamberlain gathers that the Dominion Government do not consider that any escort is necessary for the expedition between the Canadian frontier and Circle City, though apparently they are not prepared to object to a small escort passing through Canadian territory under proper restrictions.

I am to suggest, therefore, for Lord Salisbury's consideration, that the substance of Lord Aberdeen's telegram should be communicated to Sir J. Pauncefote, and that he should be instructed, if he finds that the United States' Government is disposed to press their application, to insist that the escort shall be limited to a small number to be fixed by arrangement with the Dominion Government, and that during the whole time it is in British territory it shall conform to the same regulations as to arms and dress as are imposed on Canadian mounted police passing through United States' territory.

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure in No. 5.

The Earl of Aberdeen to Mr. Chamberlain.

(Telegraphic.)

[Undated.]

SUPPLEMENTING my telegram of the 2nd February, on the question of permitting an armed force from United States accompany their relief expedition to Klondyke region.

My responsible advisers make a marked distinction between granting permission for an escort to accompany expedition simply passing from one part of United States to another through Canadian territory and an escort which my Government contend is really intended to distribute supplies while within Canadian territory the majority of mines being around Dawson. They contend, therefore, no necessity for any such escort exists. My Government being quite prepared to furnish all necessary police protection to such a one, but it could not delegate that duty to a foreign Government.

My Government suggest that similar regulations to those governing passage of detachments of Canadian mounted police through United States' territory, should apply to passage of enlisted men passing over Canadian boundary line with United States' relief expedition.

It is understood that these Regulations provide that arms should not be carried but transported as part of baggage equipment and that civil dress should be worn.

My responsible advisers desire that in communicating the position they have taken it will be made clear that instructions have been already given to the officers of Canadian Government to co-operate in every possible way, and that they fully appreciate the desire of United States' Government to afford relief to distressed persons.

No. 6.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 7.)

(Telegraphic.) P.

Foreign Office, February 7, 1898.

KLONDYKE Relief Expedition.

My telegram No 6, of 3rd February.

A telegram has been received from the Governor-General stating that a marked distinction is made by the Canadian Government between granting permission for an escort to accompany expedition simply passing through Canadian territory from one part of United States' territory to another, and an escort which is really intended, according to their contention, to distribute supplies while within Canadian territory since the majority of the mines are around Dawson.

For such an escort, they contend, there is no necessity as they are fully prepared to furnish all necessary police protection, and could not delegate that duty to a foreign Government.

Should you find that United States' Government are disposed to press their application, insist upon the limitation of the escort to a small number to be fixed by arrangement with the Dominion Government and that it shall conform, during the whole time it is in British territory, to the same Regulations as are imposed on Canadian mounted police passing through United States' territory with regard to arms and dress.

It is understood that these Regulations provide that civil dress should be worn and that arms should not be carried, but transported as part of baggage.

Canadian Government, however, wish it made clear that instructions have been given.

No. 7.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, February 9, 1898.

I AM directed by the Marquess of Salisbury to inform you that a copy of your letter of the 2nd instant will be forwarded to Her Majesty's Ambassador at Washington, but that no further action will be taken in regard to the routes to the Klondyke goldfields pending the receipt of a reply from the Governor-General of Canada to Mr. Secretary Chamberlain's proposal, that the United States' Government should be approached with regard to a settlement of the Alaskan boundary south of Mount Elias.

I am, &c.

(Signed) F. H. VILLIERS.

No. 8.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 3. Commercial.)

(Telegraphic.) P.

Foreign Office, February 10, 1898.

ALASKA Customs.

Is it possible to send a telegraphic reply to despatch No. 70, Commercial?

I must, however, refer you to the XXVIth Article of the Treaty of Washington, 1871.

No. 9.

Colonial Office to Foreign Office.—(Received February 11.)

(Confidential.)

Sir,

Downing Street, February 11, 1898.

WITH reference to the letter from this Department of the 5th instant respecting the relief expedition to Klondyke, I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, a copy of a further telegram from the Governor-General of Canada on the subject of the application of the United States' Government for permission to send an armed escort with the expedition.

Mr. Chamberlain would suggest that the substance of this message should be communicated to Her Majesty's Ambassador at Washington with reference to the instructions already sent him on the 7th instant.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure in No. 9.

The Earl of Aberdeen to Mr. Chamberlain.

(Telegraphic.)

February 9, 1898.

YOUR telegram of 3rd February.

My responsible advisers are quite willing that United States' troops destined for places in Alaska beyond 141st meridian, and considered by United States' Government as necessary for protection of United States' expedition whilst in United States' territory should pass through Canadian territory under Regulations similar to those governing passage through United States' territory of North West Mounted Police. These provide that the men shall not be under arms, and that arms and munitions of war go through Canadian territory as baggage.

A police escort for the United States' expedition through Canadian territory will be gladly furnished by my Government. Instructions to furnish such an escort and to facilitate and aid expedition in every possible way have been forwarded to Canadian Government officers.

No. 10.

Sir J. Pouncefote to the Marquess of Salisbury.—(Received February 11.)

(No. 5.)

(Telegraphic.) P.

Washington, February 11, 1898.

I HAVE as yet received no reply from the United States' Government to the subject referred to in your Lordship's telegram No. 6, on receipt of which I addressed a note to the United States' Government, making the inquiry directed.

I have called twice at the State Department to learn the cause of delay, and have been informed that the War Department, in whose hands the matter rests, have been urged to expedite the answer. Mr. Sherman agreed to the reasonableness of the objection raised by the Canadian Government to an armed American force passing through Canadian territory, and I hardly think there will be any objection to the transportation of the arms and accoutrements as baggage.

I learn privately from the Assistant Secretary for War, that the United States' force, consisting of fifty-five soldiers, objected to by the Canadian Government, is required as an escort after leaving Canadian territory to join the other branch of the expedition, as there is only one officer, Captain Ray, at Circle City, with five or six policemen.

I informed the Secretary of State yesterday that the Canadian Government have given instructions to their officers to facilitate in every way the expedition, the object of which they thoroughly appreciate.

No. 11.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received February 12.)

(No. 6. Commercial.)

(Telegraphic.) P.

Washington, February 12, 1898.

IN answer to your Lordship's telegram No. 5, Commercial, I have the honour to state that there is no such Law. Article XXVI of the Treaty of 1871 secures to British shipping the right of navigation of the Yukon. This privilege is not extended under general most-favoured-nation clause to vessels of other nations. It is subject to the United States' Regulations referred to in my telegram No. 3, Commercial. Copies of these Regulations were sent yesterday by mail.

No. 12.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 9.)

(Telegraphic.) P.

Foreign Office, February 12, 1898.

KLONDYKE Relief Expedition: My telegram No. 7 of 7th February.

The Canadian Government are stated, in a further letter from Colonial Office, to be quite willing that United States' troops considered necessary for protection of United States' expedition whilst in United States' territory, and destined for places in Alaska beyond 141st meridian, should pass through Canadian territory under regulations similar to those governing passage of Canadian mounted police through United States' territory, viz., that arms and munitions of war go through Canadian territory as baggage, and that the men shall not be under arms.

A police escort for the United States' expedition through Canadian territory will be gladly furnished.

Canadian Government officers have received instructions to provide such an escort, and to facilitate and aid expedition in every possible way.

No. 13.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 5. Commercial.)

(Telegraphic.) P.

Foreign Office, February 12, 1898.

WITH reference to your telegram No. 3, Commercial, of the 11th instant, can you inform me whether any law exists by which English built vessels are prohibited from ascending the Yukon River.

No. 14.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received February 14.)

(No. 3. Commercial.)

(Telegraphic.) P.

Washington, February 14, 1898.

I HAVE the honour to report, in answer to your Lordship's telegram No. 3, Commercial, that, after entry at Customs port, a cargo may be forwarded without payment of duty, either (a) in charge of a Customs officer, the importer being obliged to pay the cost of his transport and maintenance; or (b) on a bond being filed by the importers showing satisfactory securities, the bond being equal to the charges and duties on the cargo.

Any articles carried by passengers are exempt from duty if they are in use, and consist of personal effects and wearing apparel. Copies of the Regulations issued on the 2nd February will be sent by mail to-morrow.

No. 15.

Colonial Office to Foreign Office.—(Received February 16.)

Sir,

Downing Street, February 15, 1898.

I AM directed by Mr. Secretary Chamberlain to transmit to you, for the information of the Marquess of Salisbury, a paraphrase of a telegram from the Governor-General of Canada respecting his inquiry through Her Majesty's Ambassador at Washington as to the Regulations regarding the navigation of the Stikeen River.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure in No. 15.

The Earl of Aberdeen to Mr. Chamberlain.

(Telegraphic.) P.

[Undated.]

FOR your information. My Government feel it most desirable, in view of large traffic which may be expected on Stikeen River, that a definite decision should be made as soon as possible on Regulations respecting navigation of that river. I telegraphed to Her Majesty's Ambassador at Washington to inquire whether Stikeen would come under the Regulations relative to navigation under Treaty of Porcupine and Yukon Rivers. He replies that in framing Regulations the case of Stikeen was reserved, and the Treasury Department are not prepared to state that Regulations respecting navigation of Porcupine and Yukon Rivers shall apply to Stikeen River. Early decision will be pressed for by Ambassador.

No. 16.

Question asked in the House of Commons, February 17, 1898.

Mr. James Roche,—To ask the Under-Secretary of State for Foreign Affairs whether, when the territory of Alaska was purchased from Russia by the United States, the rights and obligations under all Treaties existing at that time and having reference to that country also passed under such sale:

Whether, under the Treaty of 1844, entered into between Her Majesty's Government and Russia, the harbour of Fort Wrangel and the inlet to the Stikeen River was constituted a free port as far as concerned the trade of Great Britain and her Colonies:

And, whether the United States' Government now propose to establish an excise supervision over that port and levy therein their tariff on all foreign merchandize, as well as a poll tax on all passengers passing through to the north-west territories of Canada, although neither merchandize nor passengers are consigned to any portion of United States' territory.

Answer.

IN the Treaty of March 1867, between Russia and the United States, by which Alaska was ceded to the latter Power, certain Articles of the Treaty of 1825 between Great Britain and Russia with regard to the geographical limits of the ceded territory were recited, and Her Majesty's Government are advised that the United States are bound thereby, but that this is not the case so far as the rest of the Treaty is concerned.

There is no Treaty between this country and Russia of 1844. By Article XXVI of the Treaty of Washington of 1871 it is provided that the navigation of the Rivers Yukon, Porcupine, and Stikeen shall be free and open for the purposes of commerce to British subjects and to citizens of the United States, subject to any laws and

regulations of either country within its own territory not inconsistent with such privilege of free navigation.

Inquiries are being made by Her Majesty's Ambassador at Washington as to the regulations applicable to the navigation of the Stikine River.

No. 17.

Colonial Office to Foreign Office.—(Received February 18.)

(Confidential.)

Sir,

Downing Street, February 18, 1898.

WITH reference to your letter of the 9th instant, I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, a copy of a telegram from the Governor-General of Canada, suggesting that the question of the southern boundary of Alaska should be referred to arbitration.

As Lord Salisbury is aware, the joint survey of this part of the boundary, which was made under Article I of the Convention of the 22nd July, 1892, was completed at the end of 1895, and copies of the Report of the Survey Commission were inclosed in the letter from this Department of the 26th March, 1896.

The Convention provided, in the last paragraph of Article I, that "as soon as practicable after the Report or Reports of the Commissions shall have been received," the parties "will proceed to consider and establish the boundary-line in question."

It appears to Mr. Chamberlain that in present circumstances it would be hopeless to expect that an agreement on the question could be reached by discussion, and he is of opinion that its reference to such a tribunal as that proposed is the most likely to insure an early decision which would be accepted by both Parties.

He would suggest, therefore, for Lord Salisbury's consideration, that Her Majesty's Ambassador at Washington should be instructed to propose to the United States' Government that the determination of the boundary-line in accordance with the spirit and intent of the Treaty of 1825 should at once be referred to three Commissioners: one appointed by the United States, one by Her Majesty's Government, and the third by an independent Power, and that, as the interpretation of the Treaty involves questions of international law, Her Majesty's Government would suggest that the Commissioners should be jurists of high standing.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure in No. 17.

The Earl of Aberdeen to Mr. Chamberlain.

(Telegraphic.)

[Undated.]

YOUR telegram of the 2nd February.

My responsible advisers agree it is now time to approach United States' Government with a view to settlement of boundary south of Mount Saint Elias along coast.

My Government suggest, subject, of course, to modification, appointment of three Commissioners of recognized legal standing, to be named: one by United States, one by Great Britain, and third by independent Power. France would be satisfactory to Canadian Government.

No. 18.

Question asked in the House of Commons, February 1898.

Sir *Ellis Ashmead-Bartlett*.—To ask the Under-Secretary of State for Foreign Affairs whether Her Majesty's Government are taking steps to secure the final delimitation of the frontier between Canada and Alaska.

Answer.

The question of the Alaskan boundary has been dealt with in two sections, viz.: (1) from Mount Elias northward to the Arctic Ocean; and (2) from Mount Elias southward along the strip of coast to the terminal point fixed by the Treaty with Russia of 1825.

As regards (1), a Convention was signed at Washington on the 31st January, 1897, for the location of certain points along the 141st meridian which forms the boundary there, and providing for the junction of the points so located by joint surveys.

This work is now in progress.

As regards (2), the Boundary Commission, acting under the Convention of the 22nd July, 1892, presented a Joint Report on the 31st December, 1895, but the maps attached to the Report, on which the topographical results of the survey were embodied, have not yet been received, and up to the present no arrangement for the determination of the true boundary has been effected.

The matter is now engaging the attention of Her Majesty's Government.

No. 19.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 11.)

(Telegraphic.) P.

Foreign Office, February 18, 1898, 3 P.M.

HER Majesty's Government are afraid that the road to Yukon may lead to very serious embarrassments, since a portion of it is auriferous, and may plausibly be claimed by both Powers.

Pray ascertain whether United States' Government would feel disposed to refer to arbitration this portion of the frontier. Without arbitration there will be a dangerous conflict of jurisdiction. Procedure might be so arranged as to be tolerably rapid.

No. 20.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received February 19.)

(No. 22. Commercial.)

My Lord,

Washington, February 11, 1898.

IN reply to the inquiries contained in your Lordship's despatch No. 70, Commercial, of the 28th December, 1897, I have the honour to transmit herewith copies of the Regulations issued by the Treasury Department on the 2nd instant concerning the transportation of merchandize through Alaska to Canadian territory, and the navigation of the Yukon and Porcupine Rivers, to which reference is made in my telegram No. 3, Commercial, of yesterday's date.

These Regulations will be found on pp. 161 to 167 of the inclosed volume.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 20.

Regulations governing the Entry and Transportation of Merchandize destined for the Klondike Region and North-west Territory of British Columbia, via the United States' Sub-ports of Juneau, Dyea, and Skagway, or other Customs Ports in Alaska.

[Circular No. 23.]

*Treasury Department, Office of the Secretary,
Washington, D.C., February 2, 1898.*

To Collectors of Customs and others interested :

The following Regulations are published for the information and guidance of all concerned :—

1. Imported merchandize arriving at Juneau, Dyea, and Skagway or any other

Customs port in Alaska, for transportation to the Klondike region, unless immediately entered under warehouse, transportation, and exportation entry, will be taken possession of by the Chief Customs officer at the port and stored at the expense of the owners.

2. Such merchandize may, after proper entry has been made, proceed under warehouse, transportation, and exportation entry, without payment of duty, in charge of a Customs officer, the cost of whose transportation and maintenance must be paid by the importer, or upon the filing of a bond by the importer with satisfactory securities, for its due exportation; said bond to be in amount equal to the duties and charges on the goods and to be cancelled upon proper evidence of exportation. Whenever the owner shall prefer to deposit with the Deputy Collector an amount of money equal to the duties and Customs charges on the goods, the filing of a bond may be waived, and such deposit will be refunded by the Deputy Collector receiving it, as hereinafter provided; but in view of the prohibition of the landing of intoxicating liquors within the Territory of Alaska, any package containing such spirits intended for immediate exportation shall be transported in custody and under the supervision of a Customs officer as above provided.

3. A manifest and duplicate copy of the entry containing a description of the merchandize, with the numbers and marks of the packages, shall be presented to the Collector at the sub-port at which entry is made, and said manifest and entry, after being duly certified, shall accompany the merchandize on its route through United States' territory, and shall be delivered with the duplicate copy of the entry to the Deputy Collector at the frontier for verification by comparison with the merchandize covered thereby.

4. A Deputy Collector shall be stationed at the frontier line on the route used for such transportation, and it shall be his duty to identify the merchandize by comparison with the description thereof contained in the entry and certified manifest.

5. If the merchandize corresponds with the description and shall pass into British territory, the Deputy Collector at the frontier shall so certify in the manifest, which shall then be transmitted by him to the Collector at the port of entry, and he shall also give the owner a certificate stating that the conditions of the bond have been fulfilled, or, if the duty shall have been deposited with the Collector at the port of entry, the Deputy Collector shall furnish the owner with a certificate of exportation, which certificate, duly indorsed by the owner, shall, whenever presented to the Deputy Collector by whom the deposit was received, be accepted by him as full authority for the refund of the amount due on such deposit, and such refund shall be paid by him to the original owner, or to the person designated by the owner's indorsement on the certificate.

6. If any of the merchandize included in the manifest shall have been consumed or abandoned on the route or shall otherwise fail to appear at the frontier, duty shall be collected on the same by the Deputy Collector at the frontier, before he shall furnish a voucher for the cancellation of the bond; if the duty shall have been deposited at the port of entry, the Deputy Collector shall deduct the duty on the missing goods from the amount so deposited, and shall give his voucher for the balance remaining due to the owner of the goods.

7. All imported animals or merchandize abandoned or sold on the route through United States' territory shall be seized by the Customs officers and forfeited to the Government unless duty shall be paid thereon.

8. Whenever the Collector at the port of entry shall receive from the deputy at the frontier a report that the conditions of any bond have been fulfilled, he shall cancel such bond, and whenever he shall receive the certified statement of exportation above provided for and a voucher for the duty remaining due to the owner, he shall pay over such duties, or so much of the same as shall have been found due, to the owner of the goods or the person duly designated by the indorsement of the owner.

9. The Customs officers at the port affected by these Regulations are hereby authorized to require, whenever they shall deem it expedient to do so, the landing under Customs supervision of all imported goods at such wharf or warehouse as shall be duly designated by them, there to be held in Customs custody until the issuance of permit for their removal.

10. All articles carried by passengers on the above routes, which are in use, and which consist of wearing apparel and personal effects necessary for the present comfort and convenience of such passengers, are exempt from duty.

11. Any person engaged in an attempt to evade the United States' Revenue Laws under these Regulations will be arrested, and on conviction will be subject to the extreme penalty of the law in such cases provided, and any merchandize introduced into the United States in violation of the Revenue Laws will be confiscated by the Government.

12. For the information of persons interested, the following copy of the Regula-

tions issued by the Commissioner of Customs of the Dominion Government is published herewith:—

Regulations issued by the Commissioner of Customs, Dominion of Canada.

Regulations for carrying goods of the United States and other foreign goods in transit through Canada, from Juneau, Alaska, to Circle City or other points in Alaska, United States, via Chilkoot or White Pass.

1. Imported goods in transit, as above described, shall be reported at the Canadian custom-house, Lake Tagish, and may be entered for exportation there on the usual form, "in transitu," in duplicate.

2. The goods may then be delivered without payment of duty to be carried to their destination out of Canada by any transportation Company which duly executed a bond in the form prescribed by the Minister of Customs, for the due and faithful delivery of all packages carried by such Company and for the general compliance with the Customs Laws and Regulations governing such traffic.

A duplicate of the "entry in transitu," duly signed and marked with the proper Customs stamp, shall accompany each shipment of goods conveyed by a bonded carrier, so that the same may be returned to the custom-house at Fort Cudahy, with a certificate thereon as to the landing of the goods in the United States or of their being passed outward from Canada within six months from date of entry.

3. If the goods when entered "in transitu" for exportation are not delivered to be forwarded by a bonded carrier, as provided in the last preceding section, the duty thereon is to be deposited with the Customs officer at Lake Tagish, subject to a refund of same at the port of Fort Cudahy when the goods pass outward thereat, or upon the certificate of an officer of the United States or of the Canadian Customs that the said goods have been landed in the United States within six months from the date of the "in transitu" entry.

The duty deposited in such case is to be indorsed on the entry and certified by the Customs officer in charge, and the duplicate of the entry, duly certified and marked with the Customs stamp, is to be delivered to the person making the deposit of duty.

4. A report of each "entry in transitu" shall be forwarded by mail without delay by the Customs officer at the sending port to the Collector of Customs at Fort Cudahy, for the collection of duties on the goods entered "in transitu" and not duly exported.

5. The articles usually classed as travellers' baggage are to be passed free without entry.

(Signed) JOHN McDUGALD, *Commissioner of Customs.*

Ottawa, December 17, 1897.

N.B.—The foregoing Regulation also applies to goods in transit as above via Stickeen River and Dalton Trail.

(Signed) JOHN McDUGALD, *Commissioner of Customs.*

January 8, 1898.

The Canadian Regulation in regard to travellers' baggage is as follows:—

Wearing apparel, articles of personal adornment, toilet articles, and similar personal effects of persons arriving in Canada may be passed free without entry at Customs, as travellers' baggage, under the provisions of the Customs Tariff, but this provision shall only include such articles as actually accompany and are in the use of and as are necessary and appropriate for the wear and use of such persons for the immediate purpose of the journey and present comfort and convenience, and shall not be held to apply to merchandize or articles intended for other persons or for sale.

(Signed) L. J. GAGE, *Secretary.*

Navigation of the Yukon and Porcupine Rivers and their Tributaries.

[Circular No. 24.]

*Treasury Department, Office of the Secretary,
Washington, D.C., February 2, 1898.*

To Collectors of Customs and others :—

The attention of Collectors of Customs and others is directed to the following Regulations concerning the navigation of the Yukon and Porcupine Rivers and their tributaries :—

(A.)—Transfer of Cargoes and Passengers at St. Michael.

1. (a) The transfer of cargo or passengers from a seagoing vessel from any port in the United States (except another port or place in Alaska) or from any foreign port to a vessel destined by way of the mouth of the Yukon River to any port or place on the Yukon or Porcupine rivers or their tributaries, and (b) the transfer of cargo or passengers from a river vessel, destined by way of the mouth of the Yukon River from any port or place on the Yukon or Porcupine Rivers or their tributaries to any American port or place (except to another port or place in Alaska) or any foreign port, shall be permitted only at the port of St. Michael under the supervision of officers of the Customs.

2. Officers of the Customs at St. Michael, when they deem it necessary, shall board any vessel bound to the United States within 4 leagues of the coast of the United States for the purpose of demanding its manifest and enforcing the Laws and Regulations of the United States.

3. Vessels entitled by law to engage in the coasting trade of the United States may proceed from one port or place in Alaska to another port in Alaska in the manner prescribed by law for the entry and clearance of vessels within the same Customs district.

*(B.)—Entry and Clearance at St. Michael.**American Vessels.*

1. Any vessel entitled by law to engage in the coasting trade of the United States, in ballast, or with passengers, or cargo, or both, that are destined from a port or place in the United States (elsewhere than in Alaska), or from a foreign port for any port or place on the Yukon or Porcupine Rivers, or their tributaries, shall enter at St. Michael in the manner prescribed by law.

Such vessel may then (a) proceed to her place of destination; or (b) transfer her cargo and passengers, if destined for a port or place in Alaska, to another American vessel, which may proceed according to laws governing the entry and clearance of vessels in the same Customs districts; or (c) transfer her cargo and passengers, if destined to a port or place in British Columbia, to an American or British vessel, which shall clear from St. Michael in the manner provided by law.

Foreign Vessels.

2. Any foreign vessel, in ballast, or with passengers or cargo, or both, that are destined from a foreign port or place to a port or place on the Yukon or Porcupine Rivers or their tributaries, shall enter at St. Michael in the manner prescribed by the law.

A British vessel may then (a) proceed to her place of destination; or (b) transfer her cargo and passengers, if destined to a port or place in Alaska, to an American vessel which may proceed according to the laws governing the entry and clearance of vessels in the same Customs district; or (c) transfer her cargo or passengers, if destined to a port or place in British Columbia, to an American or British vessel, which shall clear from St. Michael in the manner prescribed by law.

3. Article XXVI of the Treaty of 1871 between the United States and Great Britain, so far as applicable to the Yukon, Porcupine, and Stikine Rivers provide—

The navigation of the Rivers Yukon, Porcupine, and Stikine, ascending and descending,

from, to, and into the sea, shall forever remain free and open for the purposes of commerce to the subjects of Her Britannic Majesty and to the citizens of the United States, subject to any Laws and Regulations of either country within its own territory not inconsistent with such privilege of free navigation.

This Article creates a reserved privilege for a reciprocal equivalent, and the general favoured-nation clause of Treaties, which cover only gratuitous favours, does not, therefore, apply. The navigation privileges reserved by Article XXVI of the Treaty to American citizens and British subjects are not extended to the citizens and vessels of other nations.

(C.)—*Arrival of Vessels at Circle City from Ports or Places in British Columbia.*

1. A vessel descending the Yukon or Porcupine Rivers from ports or places in British Columbia, in ballast, or with cargo, or passengers, or both, shall come to at Circle City, or such other port near the boundary between Alaska and British Columbia as may hereafter be designated, and shall there report in compliance with the provisions of section 2772 of the Revised Statutes.

American Vessels.

2. A vessel, entitled by law to engage in the coasting trade of the United States, may then (a) proceed on her voyage in compliance with the laws governing the coasting trade of the United States; or (b) enter at St. Michael and there transfer her cargo and passengers, if destined to a port or place in the United States, to an American vessel, as transfers are provided for in section A of these Regulations; or (c) enter at St. Michael and there transfer her cargo and passengers, if destined to a foreign port or place, to an American or foreign vessel.

British Vessels.

3. A British vessel may then enter at St. Michael and there transfer her cargo and passengers, as such transfers are provided for in section A of these Regulations; (a) if destined to an American port to an American vessel; or (b) if destined to a foreign port, to an American or foreign vessel.

(D.)—*Supervision of Vessels ascending and descending the Yukon, Porcupine, or their Tributaries.*

The Collector of Customs of Alaska, under the direction of the Secretary of the Treasury, shall from time to time station Deputy Collectors and Inspectors of Customs at such places on the Yukon and Porcupine Rivers and their tributaries as he may deem necessary for the enforcement of the laws of the United States. Such officers shall be compensated at rates to be fixed by the Secretary of the Treasury.

(E.)—*Privileges.*

British vessels plying on the Yukon or Porcupine Rivers or their tributaries between St. Michael and ports and places in British Columbia may touch at places in Alaska on the Yukon or Porcupine Rivers or their tributaries for the purchase of fuel or supplies, or in distress, under the supervision of an officer of the Customs.

Said officer of the Customs may, in his discretion, issue permits for the temporary landing of passengers, but if any passenger fails to return to a vessel before her departure the vessel shall become liable to the penalty prescribed by the law.

No merchandize shall be landed at such places under penalty of forfeiture provided by Revised Statutes 4347, as amended by the Act of the 15th February, 1893.

No intoxicating liquor shall be sold or used on such vessel at such places under the penalties prescribed by Revised Statutes 1955 and section 14 of chapter 53 of the Laws of 1884.

(Signed) L. J. GAGE, *Secretary.*

No. 21.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received February 19.)

(No. 32.)

My Lord,

Washington, February 11, 1898.

I HAVE the honour to transmit to your Lordship herewith copy of the note which, as stated in my telegram No. 5 of to-day's date I addressed to the United States' Government, making the inquiries directed in your Lordship's telegram No 6, as to the grounds on which the United States' authorities desired permission for the passage of an armed force through Canadian territory in charge of relief supplies for the Klondike.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 21.

Sir J. Pauncefote to Mr. Sherman.

Sir,

Washington, February 4, 1898.

I HAVE the honour to inform you that I am in receipt of a telegram from the Marquess of Salisbury, instructing me to ascertain on what grounds application has been made by the United States' Government to that of the Dominion of Canada, to permit the passage of an armed United States' force in charge of relief supplies through Canadian territory to Circle City, Alaska.

The request, I am informed, is contrary to the unofficial understanding which was arrived at recently between the United States' Secretary for War and the Canadian Minister of the Interior, which provided that the Dominion Government should furnish escort for the expedition after reaching the summit of the pass, beyond which point no United States' armed force should proceed.

The guard agreed upon to escort the expedition through Canadian territory has been already provided by the Dominion Government.

In bringing the above to your notice, I have the honour to request you to be good enough to furnish me with the information, as signified above, which is desired by Her Majesty's Government.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 22.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received February 19.)

(No. 7.)

(Telegraphic.) P.

Washington, February 19, 1898.

WITH reference to your Lordship's telegram No. 11, as to the projected road to Yukon, I learn from the Chairman of the Senate Committee on Foreign Relations, that the Senate will at once take up and approve the Convention signed on the 31st January, 1897, by Mr. Olney and myself, which provides for the delimitation of the line of the 141st meridian (see my despatch No. 5 of the 6th January, 1897).

As the time allowed for the exchange of Ratifications has expired, an amendment will be introduced providing for an extension. The settlement of the difficulty referred to by your Lordship in relation to the road to the Yukon will probably be thereby facilitated. I await further instructions before taking action on your Lordship's telegram above mentioned.

No. 23.

Colonial Office to Foreign Office.—(Received February 21.)

(Confidential.)

Sir,

Downing Street, February 21, 1898.

WITH reference to the letter from this Department of the 18th instant respecting the Alaska boundary question, I am directed by Mr. Secretary Chamberlain to explain, for the information of the Marquess of Salisbury, that the part of the boundary which more immediately calls for settlement is that along the strip of coast* defined by Articles III and IV of the Treaty between Great Britain and Russia of the 28th February, 1825.

Except during the short season while the navigation of the Yukon is open, access to the mines on the Upper Yukon in Canadian territory can only be gained by passing through this strip.

At present, as Lord Salisbury is aware, the United States maintain that the mountain boundary defined by Article III of the Treaty is impossible, as they allege that there is no such range of mountains as is therein referred to, and they claim that it should be fixed in accordance with Article IV, section 2, by a line drawn as far as practicable at a distance of 10 leagues (30 miles) from the coast.

The Canadian Government, on the other hand, maintain that, though the mountains do not form a continuous well-defined range such as is mentioned in the Treaty, the summits where there are mountains close to the coast should be taken and joined up by a line drawn in accordance with Article IV not further than 10 leagues from the coast.

It appears to Mr. Chamberlain that it is hopeless to expect that an agreement on this question could be reached diplomatically, and the matter is urgent not only from the difficulty of locating the customs frontier at the head of the inlets, but also from the fact that the whole of the strip is believed to be auriferous, and that prospectors are already at work in many parts of it.

The fact that at Juneau, at the entrance of the Lynn Canal, the Alaska Treadwell Mining Company has been already mining for some years, shows that it is by no means improbable that gold may be found in a portion of the strip claimed by both parties, and if a Commission, such as was suggested in the letter from this Department of the 18th instant, was constituted, it could at once proceed to define the frontier at the head of the Lynn Canal and on the Stickeen River, and then proceed with the delimitation of the rest of the strip, taking first the creeks and rivers in the beds of which gold is most likely to be found.

If before it has concluded its labours gold should be found in any part of the country actually in dispute, it might be authorized to make temporary arrangements for safeguarding the rights and interests of both parties until it was able to fix the boundary-line in the particular locality.

Mr. Chamberlain hopes, therefore, that Lord Salisbury will instruct Sir J. Pauncefote as proposed in the letter from this Department of the 18th instant, and, further, to suggest that the Commission should at once proceed to fix the frontier at the head of the inlets through which the traffic for the Yukon Valley enters, and then to proceed with the delimitation of the rest of the strip as suggested above.

I am, &c.

(Signed) EDWARD WINGFIELD.

No. 24.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received February 22.)

(No. 9.)

(Telegraphic.) P.

Washington, February 22, 1898.

WITH reference to your Lordship's telegram No. 9, of the 12th instant, as to the conditions on which the United States' escort may accompany the relief expedition through Canadian territory, I have the honour to report that the United States' Government express themselves entirely satisfied with the arrangement therein indicated.

I have accordingly so informed the Governor-General.

* That is south of Mount Elias.

No. 25.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 14.)

(Telegraphic.) P.

Foreign Office, February 22, 1898.

ALASKA boundary: Your telegram No. 7 of 19th February.

It is not so pressing that the boundary on the 141st meridian should be fixed. It is the part of the line along strip of coast south of Mount Elias defined by Articles III and IV of Treaty of 1825, which more immediately calls for settlement. To endeavour to reach agreement by discussion appears hopeless in present circumstances.

The fact that a Company has been mining for some years at Juneau at entrance of Lynn Canal shows that gold may be found in strip claimed by both parties. You should propose to United States' Government that determination of line should be at once referred to three Commissioners in accordance with Treaty of 1825; one appointed by each Government, and a third by an independent Power, the Commissioners to be jurists of high standing.

You should further suggest that the Commission should at once proceed to fix the frontier at the head of the inlets through which the traffic for the Yukon Valley enters, subsequently continuing with the remainder of the strip.

Commission might be authorized, if gold were found in any part of country actually in dispute, to make temporary arrangements to safeguard rights and interests of both parties until it was able to fix the line in the particular locality. It would be satisfactory if a *modus vivendi* could be amicably arranged, pending settlement by Commission.

No. 26.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received February 28.)

(No. 36.)

My Lord,

Washington, February 18, 1898.

I HAD the honour of reporting to your Lordship in my telegram No. 5 of the 11th instant, that upon the receipt of your Lordship's telegram No. 6 of the 3rd instant I had immediately addressed a note to the United States' Secretary of State inquiring, according to your Lordship's instructions, on what grounds application had been made for the passage of an armed body of United States' troops through Canadian territory to accompany the proposed Alaska relief expedition.

Although I twice called at the State Department with a view of eliciting an early reply to this inquiry, it was not until yesterday that I received the note from the United States' Secretary of State, copy of which I inclose, explaining that an armed force was deemed necessary for the protection of the relief expedition after it should have passed through Canadian territory and crossed the boundary into Alaska.

I at once addressed a note to Mr. Sherman (copy of which is also inclosed) in the sense of your Lordship's telegram No. 9 of the 12th instant, informing him of the conditions upon which the Dominion Government were willing to permit the passage of the force in question, and adding that that Government were anxious to co-operate with the relief expedition in every possible way.

Mr. Sherman in acknowledging receipt of this note stated that he would inform me as soon as practicable whether the arrangement indicated was satisfactory to the War Department, and I shall communicate the decision of the United States' Government to your Lordship and to the Governor-General as soon as it is made known to me.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure 1 in No. 26.

Mr. Day to Sir J. Pauncefote.

Excellency,

State Department, Washington, February 16, 1898.

I HAVE the honour to acknowledge the receipt of your note of the 4th instant, making inquiry upon what grounds application has been made for permission for an escort of United States' troops to accompany the Alaska relief expedition through Canadian territory.

Copy of your note was immediately communicated to the Acting Secretary of War with a request for the desired information. The reply from the War Department just received, states that the Alaska relief expedition was designed to relieve persons in distress, not only in Alaska but also those in the Klondike gold regions and those *en route* to those regions through the lower passes near Dyea and Skagway; and in view of the fact that the armed force that accompanies this expedition is absolutely necessary for the protection of the expedition, its supplies and funds, against disorderly persons in Alaska after it has passed through Canadian territory and crosses the boundary into the territory of the United States, permission was desired for the detachment of armed troops—fifty-five soldiers and the necessary officers—to accompany the expedition through Canadian territory. Without this armed escort it would be hazardous and inadvisable for the expedition to start for Alaska over the proposed route, and it might become necessary to select a route to Alaska entirely within the territory of the United States, which would in part defeat the object of the expedition.

Mr. Meiklejohn adds that, from the tenour of the last clause of the note from your Embassy dated the 27th December 1897, this permission had been confidently expected, and, as the expedition is now on the way to Lynn Canal, it is important that this question should be settled at the earliest moment practicable.

(Signed) WILLIAM R. DAY.

Inclosure 2 in No. 26.

Sir J. Pauncefote to Mr. Sherman.

Sir,

Washington, February 17, 1898.

I HAVE the honour to acknowledge the receipt of your note of the 16th instant, informing me of the grounds upon which it is desired by the United States' War Department that the relief expedition which it is proposed to send to Circle City, Alaska, should be accompanied on its passage through Canadian territory by an armed United States' force.

I am authorized by the Marquess of Salisbury to state to you that the Dominion Government are quite willing that United States' troops, which are destined for places in Alaska beyond the 141st meridian and are considered necessary for the protection of the relief expedition while in United States' territory, should pass through Canadian territory under the same regulations which govern the passage of Canadian mounted police through United States' territory, namely, that the men shall not be under arms, and that arms and munitions of war shall go through Canadian territory as baggage.

The Dominion Government at the same time desire to make it clear that they fully appreciate the wish of the United States' Government to afford relief, and have forwarded instructions to the local officials to facilitate the expedition in every way. An escort of Dominion police will be furnished for the expedition during its passage through Canadian territory.

I shall be glad to learn as early as possible whether the above arrangement is satisfactory to your Government, in which case I will so advise the Marquess of Salisbury and the Governor-General of Canada.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 27.

Colonial Office to Foreign Office.—(Received March 2.)

Sir,

Downing Street, March 2, 1898.

I AM directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury with reference to the letter from this Department of the 15th ultimo, a paraphrase of a telegram from the Governor-General of Canada respecting the Regulations for the navigation of the Stikeen River.

It is obvious that if the privilege of transshipment at Wrangel is refused, the free navigation of the Stikeen which is guaranteed to Great Britain by the Treaties with Russia as well as by the Treaty of Washington will be useless, and Mr. Chamberlain cannot believe that the United States' Government contemplate any such action, which would be a breach of the spirit if not of the letter of the Treaties.

He hopes, therefore, that Her Majesty's Ambassador may be instructed to bring the matter at once before the United States' Government, as suggested in the last paragraph of the telegram inclosed.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure in No. 27.

The Earl of Aberdeen to Mr. Chamberlain.

(Telegraphic.) P.

[Undated.]

IN view of urgency of situation respecting transportation to Yukon district, my Ministers have made a contract for the construction of a railway by Stikeen River. The contract is now before Parliament for ratification. It is very necessary for the effective use of the route that the Regulations to be issued under Section 26, Treaty of Washington, should permit transshipment at Wrangel. I understand that this subject is under consideration of Treasury Department at Washington. I also understand that legislation in the direction of hostile Regulations has been initiated by Members of Congress. Full despatch follows by mail, copy of same being sent to Her Majesty's Ambassador at Washington.

Although it is not known that it is intended to refuse transshipment, my Government suggest that Her Majesty's Ambassador should interview State Department in advance, with a view to friendly Regulations permitting transshipment being drawn up.

No. 28.

Colonial Office to Foreign Office.—(Received March 2.)

Sir,

Downing Street, March 2, 1898.

I AM directed by the Secretary by State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 21st February, a copy of a letter on the subject of the state of affairs in the Yukon District of Canada.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure 1 in No. 28.

Admiralty to Colonial Office.

Sir,

Admiralty, February 23, 1898.

I AM commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of the Secretary of State, copy of a letter from the Commander-in-chief on the Pacific Station, dated the 25th ultimo, and of its inclosures, relative to the state of affairs in the Yukon District of Canada.

I am, &c.

(Signed) EVAN MACGREGOR.

Inclosure 2 in No. 28.

Rear-Admiral Palliser to Admiralty.

Sir,

"Impérieuse," at Esquimalt, January 25, 1898.

I AM forwarding the inclosed Memorandum, drawn up by an official of the North-West Mounted Police, and a copy of a letter addressed to the Collector of Customs, to give their Lordships an idea of the state of affairs on the Coast, and in the Klondyke District, which the rush to the gold-fields in the spring and summer may accentuate.

2. The undetermined boundary question is the principal cause of difficulty, next is the fact that thousands of lawless men will rush into this district, in fact are now doing so; the Canadian police are not strong enough and the large majority of the men (about 90 per cent.) being Americans, those responsible for law and order and the collection of revenue, will be intimidated.

3. The United States' Commissioner, a man named Smith, for the Skagway and Dyea District is most unprincipled, and his speculations and private exactions were so notorious that an official from Washington was sent to inquire into the matter. This official Smith "squared," and in consequence a report was sent back to Washington exonerating Smith for his conduct.

4. I understand the United States are sending infantry up; our difficulty is that we cannot send any armed men except by the Stickine River route, the transfer from the ocean to the river steamers, even then having to be made in a United States' port. At all other places the United States administer the coast and extend their boundary as much inland as suits them, and their claims in the neighbourhood of Lake Bennett are now causing friction.

The Canadian forces should be largely increased to resist the United States' pretensions.

I have, &c.

(Signed) H. BURY PALLISER.

Inclosure 3 in No. 28.

Memorandum of conditions existing in the Yukon District of Canada, for the information of the Admiral commanding the Pacific squadron.

THE Government of this district is being administered by the Federal Government at Ottawa and immediately by the Minister of the Interior. An Administrator has been appointed with large and extensive powers. At the coming Session of Parliament the Yukon District will probably be separated from the North-West Territories, of which it now legally forms a part. The force at present in the country consists of 150 officers, non-commissioned officers and men of the North-West Mounted Police. Of these 45 are at Dawson City and the remainder between Skagway and Selkirk, about 245 miles inland. Dawson City is 600 miles. The Administrator is now in winter quarters in the Yukon. It is proposed to raise the strength of the force to 250 men.

2. The routes into the country are as follows:—Through the Behring Sea up the Yukon River, by flat-bottomed boat to Dawson City. Draught of boats does not exceed 4 feet. There is an extensive bar at the mouth of the Yukon River which prevents boats of deeper draught from entering the river. Were it not for this, boats

drawing 7 or 8 feet could easily ascend to Fort Yukon, 400 miles from Dawson City. River navigation opens the end of June. The next route is over the White Pass or the Chilkat, starting from Skagway or Dyea, situated on the Lynn Canal. The trail joins on Lake Bennett, 18 miles from Dyea. The route then follows down the Lakes and the Yukon River to Dawson. During the summer small boats are built at Lake Bennett and floated down with only two interruptions, namely, White Horse Rapids and Five Fingers, the former being a dangerous rapid, but both are continually being run. This is the only winter route out from Dawson City, and is practicable only for dog teams; certainly on the main portion of the Yukon, where the ice piles up from 12 to 15 feet, and only 25 per cent. of the distance is smooth going, the remainder being hammocky and rough. The Mounted Police have posts at short distances, starting from the summit, about 18 miles from Skagway. The only other route is by the Stickine, 130 miles of which is navigable for steamers of very light draught, then across country 120 miles, where only a pack trail now exists, to Teslin Lake, the waters from which lead into the Yukon, and on to Dawson City. From Teslin Lake to Dawson steamers of light draught can run. The Stickine River opens about the 15th May and closes again in October. A winter road is about to be opened for this route. Ocean-going vessels can proceed to the mouth of the Stickine. The transfer is usually made to the river boats at Fort Wrangel, on American territory. The mouth of the Stickine is very shallow when the tide is out. Both the Yukon and Stickine Rivers are open to navigation, under Treaty, to British vessels.

3. The strip of American territory between British Columbia and the coast is most inconvenient. On the Skagway and Dyea Passes there is a dispute as to the boundary lines. United States' authorities claim that the boundary is 30 miles from the tide water on the Lynn Canal, which takes the line to the head of Lake Bennett and places Lake Lindeman, which is across the summit, in United States' territory. The Canadian Government claim that the summit of the mountain is the boundary, without doubt, although under a different reading, the towns of Skagway and Dyea would also belong to Canada. United States' authorities have exercised authority on Lake Lindeman and also on the head of Lake Bennett. Canadian officers have also exercised jurisdiction on Lake Lindeman.

4. At present there is no winter route into the Yukon district except over American territory. A detachment of the North-West Mounted Police left Edmonton, North-West Territory, in September, 1897, to explore and locate a route to the Yukon overland. Our last advices were dated the 10th November, and at that date this detachment had only succeeded in reaching a point 450 miles distant from Edmonton. They had still 600 miles to travel before reaching Dawson City. There is a trail from Ashcroft, British Columbia, on the Canadian Pacific Railway, north to Telegraph Creek, which can be used in summer. This brings you to the head of navigation on the Stickine, and of course it is all on Canadian soil. Under present conditions it is not possible to send a body of armed men into the Yukon. When the rivers open it would be possible either by the Yukon or the Stickine Rivers. It is hoped that when we know more of the country lying between Edmonton and Dawson, that we shall have an all Canadian overland route both winter and summer.

Vancouver, January 22, 1898.

Inclosure 4 in No. 28.

Mr. Turner to Mr. Stelly.

Dear Sir,

Skagway, January 4, 1898.

TWENTY or thirty men tried to jump a piece of land that Moore has fenced in last night; Moore armed a party and after a free use of guns drove the jumpers off without injuring anyone. At the time it took place it sounded as if a battle was taking place.

Mike King's men are having the same trouble with United States' Customs that we had. His boss has decided that it is cheaper to take Inspector at 6.00 dollars per day going and returning clear to Bennett rather than pay duty. It will cost him about 100 dollars if they have good weather. Captain Woods of the North-West Mounted Police tells me we will have to do the same, and I have a private appointment with Collector of Customs here at 8 P.M., and I will see if we cannot arrange things otherwise. The Regulations are most obnoxious, and Canada should vigorously protest against their enforcement, or else retaliate on Americans going to Circle City and other

United States' territory in Alaska, as 500 miles of Canadian territory have to be traversed, see Milne about this.

Word has just reached here from Bennett saying, that United States' Commissioner Smith for Dyea and Skagway claims three miles down from the head of the lake taking in Macleod's Police Barracks and my lot, and has ordered all locations of lots to have them recorded with him. A party of Americans went just below the Police Station, where the Union Jack is floating, and hoisted the Stars and Stripes. The police immediately went down and demanded an explanation, and after some parleying the flag was lowered and an apology tendered. I fear there will ultimately be trouble there, and that is one reason why I am in such a hurry to get cabin up and occupy it, and then, like Moore, we can hold the fort.

The Canadian and British Columbian Government act very slowly, and Captain Rant should have been here long ago, in fact, Rant should never have been withdrawn.

It is mild and warm again to-day, perhaps even more so than you are having it at Victoria.

You see this dispute and contention about the international boundary line just acts as an excuse for desperados, who despise law-abiding citizens, to jump land. The United States' Commissioner is over to Dyea, and I am going to see him as soon as he returns. Will extend this letter after I see the Collector to-night. The Kerry Lumber Company of Seattle are taking in portable saw-mills to Bennett, and are going to build a stern-wheel steamer to ply on the lake. Things look very prosperous, but, perhaps, I am too sanguine.

8th January.—I have seen the Collector, and have had several conversations with him. He tells me that the present new Regulations for liquor in bond are very stringent. First a permit must be obtained from the Collector of all Alaska stationed at Sitka to import liquor into Alaska, and if that is not obtained a bond of double the value of the liquor has to be deposited with the Customs as well as an escort at 5 dollars per day going and returning, and that United States' Marshal also has a hand in the affairs, but after a good deal of talk, he told me that he would see the Marshal, and if it possibly could be done, he would do away with the bond, and would swear in one of our own men as an escort, and in no case would he send an escort further than the summit, about half-way to Bennett. I gave him to understand that I was aware how our horses were fixed last summer.

Yours truly,
(Signed) F. TURNER.

No. 29.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 2.)

(No. 11.)

(Telegraphic.) P.

Washington, March 2, 1898.

I HAVE the honour to report with reference to your Lordship's telegram No. 14 of the 22nd ultimo, that the United States' Government appear equally desirous to take immediate steps for a provisional boundary line in the locality in question, the rights of both parties being reserved pending the final ascertainment of the boundary. But they urge that a new Convention would be required to carry out your Lordship's proposal as it is in the nature of a reference to arbitration, and, looking at the present constitution of the Senate, it would encounter opposition.

The United States' Government, therefore, suggest that the two Governments should proceed under the last paragraph of Article I of the Convention of the 22nd July, 1892, and that two Commissioners should be appointed to assist them in the work of delimitation, who should endeavour, in the first place, to agree upon such a provisional line as is desired.

The United States' Government, before replying to my note conveying your Lordship's proposal, desire me to explain the difficulty and delay which it involves, and to submit the above modification of it.

No. 30.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 16.)

(Telegraphic.) P.

Foreign Office, March 2, 1898.

KLONDYKE: Your telegram No. 6, Commercial, of 11th February.

A contract for the construction of a railway by the Stikine River has been made by Canadian Government. For effective use of the route it is very necessary that Regulations to be issued under Article XXVI of the Treaty of Washington should permit transshipment at Wrangel.

A copy of despatch containing full particulars is being sent you by Governor-General.

You should do your best to insure that friendly Regulations permitting transshipment should be issued as early as possible.

No. 31.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 3.)

(No. 38.)

My Lord,

Washington, February 21, 1898.

I HAVE the honour to transmit, for your Lordship's information, copy of a note which I have this day received from the United States' Secretary of State, in which the United States' Government, at the instance of the Secretary of the Treasury, ask that the Dominion Government will modify the Regulations of the 18th January, 1898, by arranging for the issue of mining certificates at the Canadian Customs posts on the routes from Skagway and Dyea into the north-west territory.

I have forwarded a copy of Mr. Sherman's note to the Governor-General.

I have, &c.

(Signed)

JULIAN PAUNCEFOTE.

Inclosure in No. 31.

Mr. Sherman to Sir J. Pauncefote.

Excellency,

Department of State, Washington, February 19, 1898.

IN view of a letter from the Secretary of the Treasury of yesterday's date, I have the honour to lay before your Excellency the following considerations with a view to obtaining, at the earliest possible date, a modification of the Canadian Regulations of the 18th January, 1898, which provide that miners' certificates for use in the north-west territory can be obtained only by application in person, and only at Victoria, Vancouver, and Dawson.

As your Excellency is aware, the sub-port of Dyea and Skagway was established by this Government for the convenience of British commercial and industrial interests, as well as American. Prior to the establishment of that sub-port, British vessels were not permitted by the laws of the United States to land passengers or cargo at any point nearer the passes now in use than Juneau. Passengers and merchandize coming in British vessels were required to be landed at Juneau, and thence to proceed by American vessels or along the shore to Dyea and Skagway at obvious inconvenience. To obviate this inconvenience, and prompted by the belief that it was the purpose of the Canadian Government to meet the efforts of this Government to promote the development of new gold-fields, the Government of the United States, in the spirit of liberality and impartiality, established the sub-port of Dyea and Skagway, at which British vessels may clear and enter. The recent Regulations of the Canadian Government referred to, by failing to establish offices where miners' certificates may be obtained in or near the Canadian boundary accessible to those crossing the passes from Dyea and Skagway, in effect seriously impair the value of that sub-port to American commerce and American citizens.

It being understood that Canadian Customs officers are stationed near the boundary at points easily accessible to those crossing the passes, I have the honour to

request your Excellency to do me the favour to communicate this matter to the Canadian Government, in order that that Government may, in the same spirit of liberality and impartiality which animated this Government in the establishment of the sub-port of Dyea and Skagway, be pleased to so modify its Regulations concerning the issue of miners' certificates as to enable persons crossing the passes from Dyea and Skagway to obtain them at points in the north-west territory easily accessible to such persons.

I should also be pleased to have your Excellency request that the Canadian authorities be as prompt as possible in replying, in order that the Secretary of the Treasury may communicate with the United States' officers in Alaska at the earliest practicable moment.

I have, &c.
(Signed) JOHN SHERMAN.

No. 32.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, March 3, 1898.

WITH reference to my letter of the 23rd ultimo, inclosing copy of a telegram sent to Her Majesty's Ambassador at Washington, respecting the proposed delimitation of the boundary of Alaska, south of Mount Elias, I am directed by the Marquess of Salisbury to transmit to you, to be laid before Mr. Secretary Chamberlain, a copy of a telegram* which has been received from his Excellency in reply.

It will be seen that the United States' Government suggest a modification of the proposal contained in your letter of the 21st ultimo, and I am to state that Lord Salisbury would be glad to be favoured with the views of the Secretary of State for the Colonies as to the reply which should be sent to Sir J. Pauncefote on the subject.

I am, &c.
(Signed) F. H. VILLIERS.

No. 33.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 5.)

(No. 39.)

My Lord,

Washington, February 22, 1898.

WITH reference to my telegram No. 9 of this date, I have the honour to transmit herewith a copy of the note addressed to me by the United States' Secretary of State, informing me that the conditions upon which the passage of a body of United States' troops through Canadian territory will be permitted, as indicated in my note to him of the 17th instant, are entirely satisfactory to the War Department.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 33.

Mr. Day to Sir J. Pauncefote.

Excellency,

Department of State, Washington, February 21, 1898.

REFERRING to the previous correspondence concerning the application of this Government for permission for a military force to escort the United States' Alaska Relief Expedition to Circle city, and particularly to your note of the 17th instant, giving assurance that the Dominion Government will permit United States' troops deemed necessary to protect the expedition in question, while *en route* to pass through Canadian territory under the same Regulations which govern the passage of Canadian mounted police through United States' territory, I have the honour to inform you that the Department has received a letter from the Acting Secretary of War, stating that

the arrangements indicated in your note will be entirely satisfactory to the War Department.

The Acting Secretary of War adds that the courtesies so kindly extended to facilitate the expedition are fully appreciated by this Government.

I have, &c.

(Signed) WILLIAM R. DAY.

No. 34.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 5.)

(No. 40.)

My Lord,

Washington, February 25, 1898.

ON receipt of your Lordship's telegram No. 14 of the 22nd instant I addressed a note (copy of which is inclosed) to the United States' Secretary of State, proposing, in accordance with your Lordship's instructions, that the determination of the portion of the boundary-line between Alaska and the Dominion of Canada lying south of Mount St. Elias, and defined in Articles III and IV of the Anglo-Russian Convention of 1825, should at once be referred to three Commissioners, and expressing the desire of Her Majesty's Government that a *modus vivendi* should be amicably arranged pending the settlement of the boundary by the Commission.

The documents referred to in my note as having been transmitted to Congress by the President in 1889 are contained in Senate Executive document No. 146 (forwarded to your Lordship with my despatch No. 13 of the 6th February, 1890), a volume which includes seventeen valuable maps and important Memoranda on the boundary question generally.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 34.

Sir J. Pauncefote to Mr. Sherman.

Sir,

Washington, February 23, 1898.

I AM desired by the Marquess of Salisbury to approach your Government with a proposal for the settlement of that part of the boundary-line between Alaska and British Columbia which runs along the coast south of Mount St. Elias, and is defined in Articles III and IV of the Convention between Great Britain and Russia of 1825.

The ascertainment of the true line of demarkation under the Convention has at various times occupied the attention of the two Governments since the cession of Alaska to the United States in 1867; and in 1889 important documents on the subject were transmitted to Congress by the President, but the informal discussions which have hitherto taken place have led to no practical result.

The great traffic which is now attracted to the Valley of the Yukon in the north-west territory by the recent discovery of gold in that region finds its way there from the coast, principally through certain passes at the head of the Lynn Canal, and it has become more important than ever for jurisdictional purposes that the boundary, especially in that particular locality, should be ascertained and defined.

Her Majesty's Government therefore propose that the determination of the coast-line of the boundary south of Mount St. Elias should at once be referred to three Commissioners (who should be jurists of high standing), one to be appointed by each Government, and a third by an independent Power. It is suggested further that the Commission should proceed at once to fix the frontier at the head of the inlets through which the traffic for the Yukon Valley enters, continuing subsequently with the remaining strip or line of coast.

The Commission being authorized, in the event of gold being found in any part of the country actually in dispute, to make a temporary arrangement for safeguarding the rights and interests of both parties until it was able to fix a line in a particular locality.

I am to add that if, pending the settlement of the boundary by the Commission, a *modus vivendi* could be amicably arranged, it would be viewed with satisfaction by Her Majesty's Government.

Hoping that the above proposal may be acceptable to your Government, I have, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 35.

Sir J. Pouncefote to the Marquess of Salisbury.—(Received March 5.)

(No 11.)

My Lord,

Washington, February 25, 1898.

I HAVE the honour to transmit herewith, for your Lordship's information, copy of a Minute of the Canadian Privy Council, communicated to me by the Governor-General of Canada, relative to the conditions under which United States' stern-wheel steamers built in sections and transported to Dyea might be assembled in British territory, and thereafter navigate the British waters of the Yukon. This information was furnished by the Dominion Government in answer to inquiries addressed to me by the United States' Government on the subject.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 35.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 14th February, 1898.

THE Committee of the Privy Council have had under consideration a despatch, hereto attached, dated the 20th January, 1898, from Her Majesty's Ambassador at Washington, transmitting copy of a note from the United States' Secretary of State, containing certain inquiries relative to the transportation of American stern-wheel steamers to Dyea.

The Minister of Customs, to whom the said despatch and inclosure were referred, reports that permission will be given for small American stern-wheel steamers, built in sections, to be transported to Dyea, to be thence packed over the mountains, and to be thereafter assembled in Canadian territory under Customs supervision without payment of duty.

That any such steamer, if under application for United States' registry, may, without a certificate of such registry on board, proceed with passengers and cargo through such waters as may be in Canadian territory direct to a port in Alaska for the first trip outwards from the point where assembled in Canadian territory.

The Minister submits that it is to be observed that only vessels of British registry or vessels entitled to participate in the Canadian coasting trade are permitted to carry passengers or cargo from one place in Canada and land the same at another place in Canada.

That under item 409 of the Canadian Customs Tariff vessels built in a foreign country, on application for Canadian register, are dutiable at the rate of 10 per cent. on the fair market value of the hull, rigging, and all appurtenances, and at the rate of 25 per cent. on the boilers, steam engines, and other machinery.

The Committee, on the recommendation of the Minister of Customs, advise that your Excellency be moved to forward a certified copy of this Minute to Sir Julian Pouncefote, Her Majesty's Ambassador at Washington, for the information of the Honourable the Secretary of State of the United States.

All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

No. 36*.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 7.)

(No. 12.)

(Telegraphic.) P.

Washington, March 7, 1898.

I HAVE the honour to report, with reference to your Lordship's telegram No. 16 of the 2nd instant, that the Senate has inserted a clause in the pending Alaskan Railways Bill empowering the Secretary of the United States' Treasury to grant transshipment and bonding privileges at Wrangel, subject to the following conditions:—

1. The Canadian Government not to grant any exclusive privileges of transporting goods or passengers arriving from or destined for other "ports in Alaska" through British Columbia or the north-west territory.

2. Transportation lines in the north-west territory or British Columbia to be given the privilege of making connections directly with Alaskan transportation lines.

3. Miners' outfits up to a weight of 1,000 lbs. to be admitted free of duty.

4. Unequal restrictions relating to the issue of mining certificates to be removed.

5. The privilege to be accorded to United States' fishing-vessels of entering ports in the Dominion of Canada for the purpose of purchasing supplies of all kinds and bait; as also the privilege of transshipping their catch and transporting it in bond. Generally, United States' fishing-vessels to enjoy most-favoured-nation treatment in regard to all Regulations affecting trade.

The Bill, as amended, is now in conference of the two Houses. In the course of the discussion in the Senate it was asserted, confidently, that the fifth, as well as the other conditions, would be accepted by Canada.

The despatch from Canada referred to in your Lordship's above-mentioned telegram has not yet reached me.

No. 36.

Colonial Office to Foreign Office.—(Received March 5.)

(Confidential.)

Sir,

Downing Street, March 5, 1898.

IN reply to your letter of the 3rd instant respecting the delimitation of the Alaska boundary, I am directed by Mr. Secretary Chamberlain to acquaint you, for the information of the Marquess of Salisbury, that he has no expectation that an agreement could be reached on this question by discussion between two Commissioners representing Her Majesty's Government and the Government of the United States respectively, as contemplated by the Convention of 1892.

In view, however, of the objection of the United States' Government to the proposal submitted to them, Mr. Chamberlain is prepared, if Lord Salisbury concurs, to inform the Dominion Government of the United States' objection, and to suggest that a Commissioner should at once be appointed on each side to proceed with the delimitation in the order laid down in the telegram to Sir J. Pauncefote of the 22nd ultimo.

I am &c.,

(Signed) H. BERTRAM COX.

No. 37.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, March 7, 1898.

WITH reference to your letter of the 5th instant, respecting the counter-proposal made by the United States' Government for the settlement of the Alaska boundary south of Mount St. Elias, I am directed by the Marquess of Salisbury to state that his Lordship concurs in the course which Mr. Secretary Chamberlain suggests, viz., that the Canadian Government should be informed of the objections offered by the United States' Government to the proposal submitted to them, and that it should at the same time be suggested that a Commissioner should at once be appointed on each side to proceed with the delimitation in the order laid down in the telegram to Sir J. Pauncefote No. 14 of the 22nd February.

I am, &c.

(Signed) F. H. VILLIERS.

No. 38.

Foreign Office to Colonial Office.

Sir,

Foreign Office, March 8, 1898.

I LAID before the Marquess of Salisbury your letter of the 2nd instant, inclosing a telegram from the Governor-General of Canada, with regard to the proposed construction of a railway to the Yukon district by the Stikeen River route, in which attention is called to the necessity of obtaining permission from the United States' Government for the transshipment of goods at Wrangel. I am directed by his Lordship to transmit to you a copy of the instructions which have been telegraphed to Her Majesty's Ambassador at Washington on this subject.*

Lord Salisbury observes that reference is made in your letter to the Treaties with Russia by which the free navigation of the Stikeen and other rivers was guaranteed to Great Britain. As Mr. Secretary Chamberlain is aware, a question was asked in the House of Commons on the 17th ultimo as to whether the rights and obligations existing in regard to Alaska were transferred to the United States' Government when that territory was purchased from Russia in 1867.

The answer given by Mr. Curzon was based on the report of the Queen's Advocate, dated the 26th December, 1867, which was to the effect that the United States are bound by the Articles from the Treaty of 1825 between Great Britain and Russia as

regards the limits of the ceded territory, but that none of the obligations contracted by Russia towards Great Britain under the other Articles of that Treaty devolved upon the United States by virtue of the Treaty of Cession in 1867.

The question, however, was again discussed in 1877, in connection with the case of Peter Martin, an American citizen, who was conveyed in custody from Laketown to Victoria by the Stikeen River, a portion of the journey being effected through United States' territory. Martin's release was demanded by the United States' Government.

I am to inclose a Minute by Sir J. Pauncefote on the points involved, and also the Report of the Law Officers of the Crown on Martin's case.*

After quoting the report of the Queen's Advocate already referred to, Sir J. Pauncefote mentions that when a question subsequently arose as to the right of the United States to levy light dues on British vessels in the Stikeen River, it was decided that the right could not be contested.

The Law Officers were of opinion (2nd June, 1877) that the Anglo-Russian Treaty of 1825 granted to this country the right of free navigation, and that Russia could not withdraw this permission without the consent of Great Britain, but that she did virtually revoke the permission by Clause VI of her Treaty with the United States in 1867, thereby giving at that time serious ground of complaint to Great Britain; that whatever may have been the right conferred upon Great Britain by the Treaty of 1825, she has lost that right by the subsequent conduct of her Government, especially by the negotiations which led to the Treaty of Washington of 1871, and by that Treaty itself; and that the stipulations of Article XXVI of the Treaty give new rights, and amount to an admission that any former rights were abrogated.

The argument of the Law Officers would thus appear to be shortly as follows:—

Russia in 1867 purported to grant to the United States of America something which she did not possess, having already absolutely parted with it to Great Britain. If so, as regards Great Britain, the grant which Russia purported to make was entirely nugatory and inoperative; and, had nothing subsequently transpired, Great Britain would still possess in their integrity the rights originally granted to her by Russia in 1825.

But subsequently, in 1871, Great Britain became a party to the Treaty of Washington, by the terms of which document her rights in this matter, as opposed to those of the United States, are now defined, and must now be judged.

In so far, then, as the Treaty of 1871 varies the rights obtained by Great Britain by the Treaty of 1825, the former document must, as between Great Britain and the United States of America, prevail.

This view appears to have been adopted by the Canadian Government, who now ask that regulations of a friendly character may be drawn up under Article XXVI of the Treaty of Washington.

It may be noted that the Article in question is in the form of a mutual agreement, and that the nature and extent of the privileges which can be claimed by Her Majesty's Government on the Stikeen must apparently be regulated by the advantages accorded under the first portion of the Article to United States' citizens in the River St. Lawrence.

I am, &c.
(Signed) F. H. VILLIERS.

No. 39.

Foreign Office to Colonial Office.

Sir,

Foreign Office, March 8, 1898.

I AM directed by the Marquess of Salisbury to transmit to you a copy of a despatch from Her Majesty's Ambassador at Washington, inclosing an application from the United States' Government for a modification of the Canadian Regulations so as to provide for the issue of mining certificates at the Dominion Customs posts on the routes from Skagway and Dyea to the Yukon district.† Sir J. Pauncefote states that he has forwarded a copy of Mr. Herman's note on this subject to the Governor-General, and it is presumed that an answer will be sent direct from Canada.

I am, &c.
(Signed) F. H. VILLIERS.

* Memorandum by Sir J. Pauncefote, March 26; Law Officers, June 2, 1877.

† No. 31.

No. 40.

Colonial Office to Foreign Office.—(Received March 9.)

(Confidential.)

Sir,

Downing Street, March 9, 1898.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 7th instant, inclosing copy of a telegram from Her Majesty's Ambassador at Washington, respecting the Alaska Railway Bill now before the United States' Senate.

Mr. Chamberlain desires me to observe that the conditions which the Bill contemplates on the grant of transshipment privileges at Wrangel are, in his opinion, entirely inconsistent with the Treaties by which the free navigation of the Stickine is mutually guaranteed to British subjects and American citizens.

The Regulations contemplated by the Treaty are obviously only such as are required for the purpose of safeguarding the revenue and the preservation of law and order.

The proposals in the Bill can only be described as an attempt to secure from Her Majesty's Government important political concessions, under penalty of being excluded from the engagement [? enjoyment] of rights already fully secured by Treaty.

Mr. Chamberlain would suggest, therefore, for Lord Salisbury's consideration, that telegraphic instructions should be at once sent to Sir J. Pauncefote, to the effect that, if he considers the measure is likely to pass with these conditions attached to it, he should protest, on behalf of Her Majesty's Government, against the imposition of any restrictions or conditions other than those contemplated by the Treaties, on the exercise of the Treaty right of free navigation, which must be held to include the right of transshipment under proper Regulations.

I am to inclose a copy of a telegram which has been sent to the Governor-General on this matter.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure in No. 40.

Mr. Chamberlain to the Earl of Aberdeen.

(Telegraphic.) P.

Downing Street, March 9, 1898, 2.35 P.M.

WHEN may I expect despatch promised in your telegram of the 1st March, as to Stickine navigation?

Full information should be sent as soon as possible respecting transportation, navigation, and Customs Regulations adopted by your Government for Alaska.

If equitable Regulations as to transshipment are conceded by United States' Government, I presume your Ministers are prepared to grant any reasonable facilities which they may desire.

No. 41.

Colonial Office to Foreign Office.—(Received March 10.)

Sir,

Downing Street, March 9, 1898.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 7th instant, a copy of a paraphrase of a telegram from Mr. Chamberlain to the Governor-General of Canada, on the subject of the Alaska boundary.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure in No. 41.

Mr. Chamberlain to the Earl of Aberdeen.

(Telegraphic.) P.

Downing Street, March 8, 1898, 7.20 P.M.

MY telegram of 24th February: Boundary of Alaska. Pauncefote reports that United States' Government are anxious to proceed with demarcation of provisional boundary in indicated locality without prejudice to either Party's rights as finally ascertained, but that for the arbitration proposed, a new Convention would be required, and that in Senate as at present constituted this would certainly meet with opposition. They therefore suggest proceeding at once under Convention of the 22nd July, 1892, Article I, two Commissioners being employed to endeavour in first place to agree on provisional line as mentioned above.

Her Majesty's Government propose to agree, and would be glad if your Ministers would at once name a Commissioner if they concur.

No. 42.

Colonial Office to Foreign Office.—(Received March 10.)

Sir,

Downing Street, March 10, 1898.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 8th instant, inclosing copy of instructions sent to Her Majesty's Ambassador at Washington respecting the Stickeen River route to the Yukon district, and also papers bearing on the question of the Treaty right of British subjects to the free navigation of that river.

2. The Law Officers in the opinion, copy of which is inclosed in your letter, advised that clause 6 of the Treaty of 1825 "gives to British subjects the right of free navigation upon the rivers in question in perpetuity, and Russia could not, in our opinion, voluntarily and without the consent of Great Britain withdraw this permission."

3. They go on to say, however, that by clause 6 of the Treaty of the 30th March, 1867, Russia declared the cession of the territory and dominion to be free and unencumbered by any reservation, &c., and therefore did virtually revoke the permission she had granted, and by so doing gave Great Britain serious ground for complaint.

4. Mr. Chamberlain is very doubtful whether the Law Officers when they gave this opinion were in possession of the circumstances in which the Treaty of 1825 was made, or of the actual text of the Treaty of 1867.

5. In regard to the former, I am to observe that when the Treaty of 1825 was framed neither Great Britain nor Russia was in actual occupation of any part of the strip of coast defined in the IIIrd and IVth Articles, while the greater part of it was claimed by both, and Great Britain had actually settlements inland of the strip so defined, to which access was gained by the rivers passing through the strip.

6. The VIth Article does not therefore, as the Law Officers appear to have concluded, represent a grant or concession by Russia, but as the language of the Article shows, was an acknowledgment by Russia of a right already claimed and exercised by British subjects, the continued free exercise of which was stipulated for by Great Britain as a condition of acknowledging the sovereignty of Russia over the strip.

7. In regard to the VIth Article of the Treaty of 1867, I am to observe that it only declares that the territory ceded is "free and unencumbered by any reservations, privileges, franchises, &c., by any associated Companies, whether corporate or incorporate, Russian or any other."

8. The words underlined* are not quoted in the Memorandum by Sir J. Pauncefote on which the Law Officers' opinion was based, and they appear to Mr. Chamberlain to show distinctly that the Article had no reference to the reservation in the VIth Article of the Treaty of 1825, but to the reservations and privileges held by the Russian American Company, and from time to time leased by them to the Hudson's Bay Company, while the strip of coast remained part of the Russian dominions, and the reservation of the free navigation of the rivers remained intact.

* Italics.

9. In regard to the further statement of the Law Officers, that "whatever may have been the nature of the right conferred upon Great Britain by the Convention of 1825, we are of opinion that by the subsequent conduct of her Government, especially by the negotiations which led to the Treaty of Washington, and by that Treaty itself, she has lost that right."

10. Mr. Chamberlain is not aware of anything that took place during the negotiations for the Treaty of Washington which could be construed as a waiver of the right of Great Britain, and in regard to the second paragraph of the XXVith Article I am to point out that it is reciprocal. In the case of the Yukon and Porcupine Rivers, which were not covered by the Treaty of 1825, Great Britain had no right to the navigation of the lower reaches of those rivers, while the United States had no right to navigate them beyond the 141st meridian, while in regard to the Stickeen, the United States had no right to navigate it beyond a distance of 30 miles from its mouth.

11. There does not therefore appear to be anything in Article XXVI of the Treaty which can be construed as waiving the right of British subjects under the Treaty of 1825 to the free navigation of the Lower Stickeen, though it undoubtedly conferred on the United States the right of navigating the upper waters of that river.

12. I am to add that there are other rivers, such as the Taku, traversing the strip of coast in question which are navigable to some extent, and the question is of importance in regard to them as well as the Stickeen, and Mr. Chamberlain would suggest that the present Law Officers should be consulted on the subject.

I am, &c.

(Signed) H. BERTRAM COX.

No. 43.

The Marquess of Salisbury to Sir J. Pauncéfote.

(No. 19. Confidential.)

(Telegraphic.) P.

Foreign Office, March 10, 1898.

ALASKA boundary.

Substance of your telegram No. 11 of 3rd March has been repeated to Canada with suggestion that if Canadian Government concur in course proposed, they should at once name a Commissioner.

No. 44.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 14.)

(No. 26. Commercial.)

My Lord,

Washington, February 28, 1898.

I HAVE the honour to inclose copies of an Act to amend the Laws relating to Navigation, passed by Congress and approved by the President. It prescribes the conditions under which the Alaskan coasting trade and passenger traffic may be engaged in by foreign vessels and confers on the Secretary of the Treasury the authority under which the Regulations, copies of which were inclosed in my despatch No. 22, Commercial, of the 11th instant, were issued.

I have the honour to inclose also an extract from the Congressional Record containing a report of the discussion which took place on the Bill, when before the House of Representatives, in the course of which Mr. Frye, after explaining that the Bill related to Alaskan waters entirely, explained the objects of the various sections, the effect of which would no doubt be prejudicial to British shipping interests.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure 1 in No. 44.

[PUBLIC—No. 21.]

An Act to Amend the Laws relating to Navigation.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no merchandize shall be transported by water, under penalty of forfeiture thereof, from one port of the United States to another port of the United States, either directly or viâ a foreign port, or for any part of the voyage, in any other vessel than a vessel of the United States. But this section shall not be construed to prohibit the sailing of any foreign vessel from one to another port of the United States: Provided, that no merchandize other than that imported in such vessel from some foreign port which shall not have been unladen shall be carried from one port or place in the United States to another.

Sec. 2. That section 8 of "An Act to abolish certain fees for official services to American vessels, and to amend the Laws relating to Shipping Commissioners, seamen, owners of vessels, and for other purposes," approved the 19th June, 1886, is hereby amended to read:—

"Sec. 8. No foreign vessel shall transport passengers between ports or places in the United States, either directly or by way of a foreign port, under a penalty of 200 dollars for each passenger so transported and landed."

Sec. 3. Whenever merchandize is imported into the United States by sea for immediate exportation to a foreign port by sea, or by a river, the right to ascend or descend, which for the purposes of commerce is secured by Treaty to the citizens of the United States and the subjects of a foreign Power, the Secretary of the Treasury is hereby authorized to prescribe Regulations for the transshipment and transportation of such merchandize.

Sec. 4. That section 3109 of the Revised Statute is hereby amended to read:—

"Sec. 3109. The master of any foreign vessel, laden or in ballast, arriving, whether by sea or otherwise, in the waters of the United States from any foreign territory adjacent to the northern, north-eastern, or north-western frontiers of the United States, shall report at the office of any collector or deputy-collector of the customs, which shall be nearest to the point at which such vessel may enter such waters; and such vessel shall not transfer her cargo or passengers to another vessel or proceed farther inland, either to unlade or take in cargo, without a special permit from such collector or deputy-collector, issued under and in accordance with such general or special Regulations as the Secretary of the Treasury may, in his discretion, from time to time prescribe. This section shall apply to trade with or through Alaska. For any violation of this section such vessel shall be seized and forfeited."

Sec. 5. This Act shall take effect one month after its passage.

Approved February 17, 1898.

Inclosure 2 in No. 44.

Extract from the "Congressional Record" of February 10, 1898.

Mr. Frye.—I am directed by the Committee on Commerce, to whom was referred the Bill (section 3580) to amend the laws relating to navigation, to report it favourably with an amendment. I am obliged to ask the indulgence of the Senate. The Bill relates to Alaskan waters entirely, and, of course, any legislation to be enacted should receive very early attention. I ask unanimous consent that the Bill may be now considered.

Mr. Allen.—Let it be read for information.

The Vice-President.—The Bill will be read for information.

The Secretary proceeded to read the Bill, and read as follows:—

"Be it enacted, &c., that no merchandize shall be transported by water, under penalty of forfeiture thereof, from one port of the United States to another port of the United States, either directly or viâ a foreign port, or for any part of the voyage, in any other vessel than a vessel of the United States."

Mr. Frye.—Allow me to explain the Bill as it is being read. The clause "or

for any part thereof" is the only change of existing law. We reserve our coasting trade the same as other maritime nations do. Let me give an instance. A few years ago a cargo of nails was shipped from New York to Antwerp and reshipped at Antwerp on another British vessel to San Francisco. The case went before the Courts, and the Courts held that it was evasion of our law, but not a violation. We passed a law to meet such cases as those. The law which we now amend is that law, and the only change is "for any part thereof."

Mr. Teller.—A cargo, or any part thereof?

Mr. Frye.—No; for a voyage or any part of a voyage. It is rendered necessary for this reason: Inquiries have just been made at the Treasury Department as to whether an American vessel could not take a cargo at Seattle and land it at Vancouver, ship it at Vancouver on an English vessel and the English vessel carry it up the rivers. That would be an evasion of the law, and this is to make it certain that it would also be a violation. Now let the Secretary proceed with the reading.

The Secretary read as follows:—

"But this section shall not be construed to prohibit the sailing of any foreign vessel from one to another port of the United States: Provided, that no merchandize other than that imported in such vessel from some foreign port which shall not have been unladen shall be carried from one port or place in the United States to another.

"Section 2. That section 8 of 'an Act to abolish certain fees for official services to American vessels, and to amend the laws relating to shipping commissioners, seamen, owners of vessels, and for other purposes,' approved 19th June, 1886, is hereby amended to read:

"Section 8. No foreign vessel shall transport passengers between ports or places in the United States, either directly or by way of a foreign port, under a penalty of 100 dollars for each passenger so transported and landed."

Mr. Frye.—That is to be amended by making the penalty 200 dollars. The reason for that is this: Our present law simply fines 2 dollars a passenger for landing passengers by a foreign vessel from one American port to another American port. The charges for landing from San Francisco, for instance, up the Yukon River will be from 200 to 250 dollars, and the Canadian vessels would be delighted to pay the United States 2 dollars for every violation of the law and take our passenger trade. The Canadian law is 400 dollars penalty. Our colleague, the Senator from California (Mr. Perkins), by a mistake of one of his pursers, happened to land in a Canadian port a passenger from one Canadian port to another. They fined him the 400 dollars and he was never able to get it back. This law is absolutely necessary to enable American vessels to do any of the passenger traffic. If the penalty should be regarded as high, we have what Canada has not, a general law authorizing the Secretary of the Treasury at any time to remit the entire penalty or any part of it.

The Secretary proceeded with the reading of the Bill, and read as follows:—

"Section 3. Whenever merchandize is imported into the United States by sea for immediate exportation to a foreign port by sea, or by a river, the right to ascend or descend, which for the purposes of commerce is secured by Treaty to the citizens of the United States and the subjects of a foreign Power, the Secretary of the Treasury is hereby authorized to prescribe Regulations for the transshipment and transportation of such merchandize."

Mr. Frye.—That section is simply to give to the Secretary of the Treasury power to make Regulations. All our goods, of course, that go up the Yukon River must be transhipped at the mouth of the river on account of the low water, and the Secretary of the Treasury has some doubts about any law now authorizing him to make necessary Regulations for transshipment.

Mr. Allen.—Does the provision of the Bill affect in any way the controverted 10 per cent. drawback of the Tariff Act?

Mr. Frye.—It has nothing to do with it whatever.

Mr. Allen.—It has nothing to do with that?

Mr. Frye.—Let the next section be read—section 4.

Mr. Hoar.—I should like to have the Bill go over.

Mr. Frye.—Does the Senator from Massachusetts object?

Mr. Hoar.—I should like to have it go over.

The Vice-President.—Objection is made, and the Bill lies over.

Mr. Hoar subsequently said: I arrested the reading of the Bill reported by the

Senator from Maine (Mr. Frye), to the consideration of which the Senate had consented, because I wanted to see whether it was not a good place for an amendment which I desire to offer. But on the explanation of the Senator from Maine that another Bill will be reported very soon which will relate to that matter, I do not insist upon my objection.

The Vice-President.—Is there any objection to proceeding with the Bill reported by the Senator from Maine, which was intercepted a few moments ago? The Chair hears none, and the Bill is before the Senate as in Committee of the whole. The next section of the Bill will be read.

The Secretary resumed and concluded the reading of the Bill, as follows:—

“Section 4. That section 3109 of the Revised Statutes is hereby amended to read:

“‘Section 3109. The master of any foreign vessel, laden or in ballast, arriving, whether by sea or otherwise, in the waters of the United States from any foreign territory adjacent to the northern, north-eastern, or north-western frontiers of the United States, shall report at the office of any collector or deputy-collector of the customs, which shall be nearest to the point at which such vessel may enter such waters; and such vessel shall not transfer her cargo or passengers to another vessel or proceed farther inland, either to unlade or take in cargo, without a special permit from such collector or deputy-collector, issued under and in accordance with such general or special Regulations as the Secretary of the Treasury may, in his discretion, from time to time prescribe. This section shall also apply to trade with or through Alaska. For any violation of this section such vessel shall be seized and forfeited.’

“Section 5. This Act shall take effect one month after its passage.”

Mr. Frye.—I will state the reason why section 4 is rendered necessary. Section 3109 of the Revised Statutes was enacted in 1866, and Alaska was admitted in 1867. There is serious doubt as to whether that section applies to the Alaskan waters, and this is only to remove that doubt. There is one amendment reported by the Committee.

The Vice-President.—The amendment will be stated.

The Secretary.—On p. 2, section 2, line 8, it is proposed to strike out the word “one” before “hundred” and insert “two,” so as to read:—

“Under a penalty of 200 dollars for each passenger so transported and landed.”

The amendment was agreed to.

The Bill was reported to the Senate as amended, and the amendment was concurred in.

The Bill was ordered to be engrossed for a third reading, read the third time, and passed.

No. 45.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 14.)

(No. 45.)

My Lord,

Washington, February 28, 1898.

WITH reference to my despatch No. 38 of the 22nd instant, in which I inclosed the representations made by the United States' Government to the Dominion Government in favour of the establishment of additional places of issue for mining certificates, I have now the honour to forward to your Lordship copy of a note from the United States' Government calling attention to certain instances of the loss and inconvenience occasioned by the existing Regulations.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 45.

Mr. Sherman to Sir J. Pouncefote.

Excellency,

Department of State, Washington, February 26, 1898.

REFERRING to the Department's note No. 921 of the 19th instant in regard to the desire of this Government to obtain a modification of the Canadian Regulations concerning the issue of miners' certificates, I have the honour to inform your Excellency that I am in receipt of a letter from the Secretary of the Treasury, under date of the 24th instant, advising me that both the "Queen" and "Alki," of the Pacific Coast Steam-ship Company, were recently delayed twenty-four hours in Victoria awaiting miners' licences; that the "Queen" would ordinarily wait at that port but an hour, while the "Alki" is not scheduled to call there; and that the loss of time suffered in this instance amounts to over 1,000 dollars.

I have, &c.

(Signed) JOHN SHERMAN.

No. 46.

Sir J. Pouncefote to the Marquess of Salisbury.—(Received March 15.)

(No. 16.)

(Telegraphic.) P.

Washington, March 15, 1898.

I HAVE the honour to report, with reference to your Lordship's telegram No. 16 of the 2nd instant, that the Senate has inserted a clause in the pending Alaskan Railways Bill, empowering the Secretary of the United States' Treasury to grant transshipment and bonding privileges at Wrangel, subject to the following conditions:—

1. The Canadian Government not to grant any exclusive privileges of transporting goods or passengers arriving from or destined for other "ports in Alaska" through British Columbia or the north-west territory.

2. Transportation lines in the north-west territory or British Columbia to be given the privilege of making connections directly with Alaskan transportation lines.

3. Miners' outfits up to a weight of 1,000 lbs. to be admitted free of duty.

4. Unequal restrictions relating to the issue of mining certificates to be removed.

5. The privilege to be accorded to United States' fishing-vessels of entering ports in the Dominion of Canada for the purpose of purchasing supplies of all kinds and bait; as also the privilege of transshipping their catch and transporting it in bond. Generally, United States' fishing-vessels to enjoy most-favoured-nation treatment in regard to all Regulations affecting trade.

The Bill, as amended, is now in conference of the two Houses. In the course of the discussion in the Senate it was asserted, confidently, that the fifth, as well as the other conditions, would be accepted by Canada.

The despatch from Canada referred to in your Lordship's above-mentioned telegram has not yet reached me.

No. 47.

Sir J. Pouncefote to the Marquess of Salisbury.—(Received March 17.)

(No. 53.)

My Lord,

Washington, March 8, 1898.

WITH reference to my telegram No. 12 of the 6th instant, I have the honour to inclose an extract from the "Congressional Record,"* containing a full report of the debate which took place in the Senate on the Bill "extending the homestead laws, and providing for right of way for railroads in Alaska."

The discussion on the clause substituted by the Senate for the original section 13 commences at p. 2771, where the full text of the clause will be found.

The Bill was introduced by Senator Hanebrough, who in his speech (p. 2771) gives a minute history of the new clause, and states his belief that Canada will accept

* "Congressional Record" of March 4, 1898.

all the conditions which it imposes on the grant of transhipment and bonding facilities at Wrangel. I would draw your Lordship's attention to the speeches of Senators Hoar (p. 2772), Frye (p. 2773), Lodge (p. 2774), and Morgan (p. 3775), all of whom complain of the attitude of Canada towards the United States, who, they aver, have never obtained any reciprocity or return for their concessions and liberality to their neighbour. At p. 2775 will be found an important Memorandum by Professor George Davidson, of California, "on the physical features and resources of Alaska," with observations on the boundary question (p. 2777).

The question of the bonding privileges at Wrangel has thus been anticipated by the United States' Legislature, and it remains to be seen how far the Canadian Government may be prepared to accept the conditions imposed by the Senate. It is possible that during the Conference between the two Houses on the amended Bill those conditions may be modified, especially as regards the fisheries.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 48.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 22.)

(Telegraphic.) P.

Foreign Office, March 17, 1898, 6.20 P.M.

IF you consider that Alaska Railway Bill is likely to pass with conditions reported in your telegram No. 12 of the 7th March, you should make representations on behalf of Her Majesty's Government against the imposition of any restrictions or conditions on the exercise of the Treaty right of free navigation, which must be held to include the right of transhipment under proper Regulations.

No. 49.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 19.)

(No. 54.)

My Lord,

Washington, March 10, 1898.

WITH reference to my telegram No. 11 of the 2nd instant, and to previous correspondence, on the subject of the demarcation of the Alaska-Canada boundary-line south of Mount St. Elias, I have the honour to transmit to your Lordship herewith a set, kindly furnished me by the United States' Secretary of State, of the maps prepared by the Commissioners appointed under the Alaska Survey Convention of 1892, to accompany their joint Report.*

In forwarding these maps to me, Mr. Sherman explained that his attention had been called to a statement made by Mr. Curzon in the House of Commons on the 18th ultimo, to the effect that they had not yet been received by Her Majesty's Government.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 50.

Colonial Office to Foreign Office.—(Received March 19.)

Sir,

Downing Street, March 18, 1898.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from this Department of the 9th March, a copy of a telegram from the Governor-General of Canada, on the subject of the navigation of the Stikine, Porcupine, and Yukon Rivers.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure in No. 50.

The Earl of Aberdeen to Mr. Chamberlain.

(Telegraphic.) P.

[Undated.]

IN reply to your telegram of 9th March. Copies of Coasting and Customs Regulations adopted by my Government are being forwarded to-day. At the request of my Ministers I transmitted on 3rd March to Her Majesty's Ambassador at Washington, copies of Regulations as to foreign trading vessels, and stated that United States' trading vessels might navigate Canadian waters of Stikine, Porcupine, and Yukon Rivers, in compliance with these Regulations and provisions of Customs Act, subject to such amendment as it may be deemed necessary to make.

No. 51.

Colonial Office to Foreign Office.—(Received March 19.)

Sir,

Downing Street, March 19, 1898.

I AM directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, a paraphrase of a telegram from the Governor-General of Canada, repeating a telegram which he has sent to Her Majesty's Ambassador at Washington requesting that the United States' Government may be asked to give permission for the passage of a body of about 200 Canadian Militia through United States' territory *en route* for the Yukon, where their services are required to assist the police in maintaining law and order.

Mr. Chamberlain would be glad if Lord Salisbury would, if he sees no objection, instruct Sir J. Pauncefote to urge the United States to grant permission for the passage of these troops through United States' territory on the same conditions as were granted in the case of the Mounted Police.

I am, &c.
(Signed) C. P. LUCAS.

Inclosure in No. 51.

The Earl of Aberdeen to Mr. Chamberlain.

(Telegraphic.) P.

March 17, 1898.

WISH to inform you that I have to-day telegraphed to Her Majesty's Ambassador at Washington as follows:—

“I am requested by my Ministers to mention that they propose to send a small body of about 200 Canadian Militia to the Yukon to be prepared to assist police in maintaining order, in case assistance should be required, and to ask you to be so good as to apply to United States' authorities for privilege of passage through United States' territory on the same conditions as those granted to Canadian Mounted Police.”

No. 52.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 25.)

(Telegraphic.) P.

Foreign Office, March 19, 1898.

KLONDIKE. You should do what you can to obtain permission for Canadian Militia to pass through United States' territory in accordance with the telegram sent to you on the 17th instant by the Governor-General of Canada.

No. 53.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 23.)

(No. 21.)

(Telegraphic.) P.

Washington, March 23, 1898.

IN answer to your Lordship's telegram No. 25 of the 19th instant, I have the honour to inform your Lordship that I learn from the United States' Secretary of State that the desired permission to proceed through United States' territory will be granted to the Canadian Militia.

The United States' Government stipulate, however, that the men shall not be under arms, and that their arms and munitions of war shall be sent as baggage through the territory of the United States.

No. 54.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 26.)

(No. 22.)

(Telegraphic.) P.

Washington, March 26, 1898.

BONDING privileges at Alaskan ports.

I have the honour to report, with reference to your Lordship's telegram No. 22 of the 17th instant, that I have taken the precaution of delivering a *pro-memoriâ*, in the sense indicated by your Lordship, to the Department of State, and I have verbally warned the Senator who is in charge of the Bill in question.

In an important confidential conversation which I have had with this Senator, he stated that all that is really desired by Congress is that the policy of railway monopoly should be abandoned by the Canadian Government, and that liberty should be given to make connections between Alaskan and Canadian railways, adding that, if this concession be made, bonding privileges will be granted, wherever necessary for railway transportation, at all portions of the Alaska coast.

This arrangement must be said to be of benefit to Canadian trade, and he asked me privately to endeavour to ascertain from the Dominion Government whether the solution proposed would be acceptable to them. I should be glad to receive through your Lordship an answer to this inquiry, as I understand that it will, if given promptly and in a favourable sense, result in the limiting of section 13 of the Bill (which is still in Conference) in the sense indicated above.

I have made no communication to the Governor-General of Canada on the subject.

No. 55.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 27.)

(No. 23.)

(Telegraphic.) P.

Washington, March 27, 1898.

ALASKA boundary.

Your Lordship's telegram No. 19 of the 10th instant.

The United States' Government are pressing me for an answer to their suggestion.

The Governor-General of Canada has sent me no communication on the subject.

No. 56.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 28.)

(No. 73.)

My Lord,

Washington, March 18, 1898.

WITH reference to my despatch No. 53 of the 8th instant and previous correspondence, relative to the United States' Regulations affecting the conveyance of goods and passengers through Alaska into Canadian territory, I have the honour to transmit herewith

copy of a Minute of the Canadian Privy Council of the 9th instant which has been communicated to me by the Governor-General.

In this Minute it is pointed out that the New Bonding Regulations of the United States (contained in the Treasury Regulations forwarded to your Lordship in my despatch No. 22, Commercial, of the 11th ultimo) have not yet been put in force at Dyea and Skagway, and that the employment of only one United States' Inspector has been authorized for the two Canadian Customs stations on Chilcoot Pass and White Pass respectively.

Acting on Lord Aberdeen's suggestion, I have called the attention of the United States' Government to the facts stated in the Minute, expressing the hope that the measures desired by the Dominion Government might be taken at an early date.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 56.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 9th March, 1898.

THE Committee of the Privy Council have had under consideration a despatch, hereto annexed, dated the 15th February, 1898, from Her Majesty's Ambassador to the United States, transmitting a copy of a communication from the United States' Secretary of State in reply to inquiries by your Excellency, together with a series of Treasury Regulations.

The Committee, on the recommendation of the Minister of Customs, to whom the said despatch was referred, advise that your Excellency be moved to acknowledge the receipt of the said despatch, together with the Treasury Regulations inclosed, and to inform Her Majesty's Ambassador to the United States that a copy of the Regulations under which the Yukon, Porcupine, and Stikine Rivers, so far as they are in Canadian territory, may be navigated, was transmitted to him on the 3rd March, 1898.

The Committee further advise, upon the same recommendation, that Her Majesty's Ambassador to the United States be also requested to communicate the following representations to the Government of the United States for their attention at the earliest opportunity:—

1. That Major Perry telegraphs from Union, British Columbia, on the 2nd March, 1898, to the effect that the New Bonding Regulations of the United States have not been put in force at Dyea and Skagway, on the ground that there is no accommodation for the United States' Customs Inspector, and that two such Inspectors are required for the Canadian Customs stations on Chilcoot Pass and White Pass, while only one Inspector has been authorized to be employed.

2. That the Canadian Government will provide office accommodation for the Customs Inspector of the United States at the Canadian Customs stations on Chilcoot Pass and White Pass.

All of which is respectfully submitted for your Lordship's approval.

(Signed)

JOHN J. McGEE,

Clerk of the Privy Council.

No. 57.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, March 28, 1898.

THE Marquess of Salisbury communicated to Her Majesty's Ambassador at Washington by telegraph the substance of your letter of the 9th instant, respecting the proposals for the delimitation of the Alaska boundary.

His Excellency has reported in a telegram, dated the 27th instant, that he has received no communication on the subject from the Governor-General of Canada, and that

the United States' Government are pressing for a reply to their suggestion as to the procedure which should be adopted.

I am to inquire whether Mr. Secretary Chamberlain has received any answer to the telegram which was sent to the Earl of Aberdeen on the subject.

I am, &c.
(Signed) F. H. VILLIERS.

No. 58.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, March 28, 1898.

WITH reference to my letter of the 18th instant, I am directed by the Marquess of Salisbury to transmit to you a copy of a telegram from Her Majesty's Ambassador at Washington, reporting a conversation with the Senator in charge of the Alaska Railway Bill.*

Sir J. Pauncefote states that he has made no communication to the Governor-General of Canada with a view to ascertaining whether the arrangement suggested by the Senator would be acceptable, and I am therefore to inquire what reply Mr. Secretary Chamberlain would wish to be sent to his Excellency.

I am, &c.
(Signed) F. H. VILLIERS.

No. 59.

Colonial Office to Foreign Office.—(Received March 31.)

(Confidential.)

Sir,

Downing Street, March 31, 1898.

WITH reference to your letter of the 28th instant, inclosing copy of a telegram from Her Majesty's Ambassador at Washington respecting the Alaska Railway Bill now before the United States' Senate, I am directed by Mr. Secretary Chamberlain to acquaint you, for the information of the Secretary of State for Foreign Affairs, that he considers it very important that the substance of Sir J. Pauncefote's message should be at once communicated to the Dominion Government.

He proposes, therefore, if the Marquess of Salisbury concurs, to telegraph to the Governor-General in the terms of the accompanying draft.

At the same time, the strong desire of the Dominion Government to establish a railway running entirely through British territory, and terminating at a British port, demands the sympathy and encouragement of Her Majesty's Government.

It is by no means a satisfactory position for them to be under the necessity of relying on the goodwill of the United States for the maintenance of authority at the gold-fields, and though the miners have hitherto shown themselves peaceable and law-abiding, it is most improbable, in view of the enormous influx now taking place, that a considerable disorderly element will not find its way thither, and that circumstances might arise in which the United States would not be disposed to assist the Canadian Government to restore order by allowing the passage of troops.

Mr. Chamberlain trusts, therefore, that Sir J. Pauncefote will be instructed to press again on the President that Her Majesty's Government would regard the denial of the right of transshipment, or the imposition of irrelevant and impracticable conditions on its exercise, as an evasion of the Treaty right of free navigation, which they cannot believe he would be a party to, and to express their strong hope that immediate instructions will be given for allowing transshipment under the usual and recognized conditions.

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure in No. 59.

Draft Telegram from Mr. Chamberlain to the Earl of Aberdeen.

(Secret and Confidential)

YOUR despatch No. 51 of the 4th March.

Her Majesty's Ambassador at Washington was instructed on the 17th March, if he considered Alaska Railway Bill now before United States' Senate likely to pass, to make representations on behalf of Her Majesty's Government against imposition of any restrictions or conditions on the exercise of Treaty right of free navigation, which must be held to include right of transshipment.

Ambassador now reports that he had verbally warned Senator in charge of Bill, and had delivered to State Department *pro-memorid* in accordance with instructions.

Sir J. Pancefote reports confidential conversation Senator referred to, who says: "All that Congress really requires is that Canada should abandon policy of railway monopoly, and to secure liberty to connect Canadian territory with Alaskan railways.

"If this concession made bonding privileges would be granted all along Alaskan coast wherever necessary for railway transportation. By this Canadian trade would be benefited."

Senator requested Ambassador to sound your Government as to this, as, if answer favourable, section 13 of Bill now in Conference would be limited accordingly.

I would point out that question whether right of transshipment is involved in free navigation has not previously been raised or decided.* Though Her Majesty's Government support view of your Ministers, that view will not improbably be disputed by United States' Government, and delay must ensue, which may endanger prospect of Stickeen Railway more than competition.

Your Ministers should consider, therefore, whether they and the contractors, under Bill inclosed in your despatch, could not come to some arrangement, without prejudice to boundary question, which would meet the wishes of Congress.

The settlement of boundary question must occupy some time, and possession by United States of coast strip of undefined extent renders friendly relations of vital importance for development of gold-fields pending establishment of an all British route.

It seems to me that additional route from Lynn Canal would benefit Canada and develop more quickly gold territory, while Canada would always retain power to complete all British route if competition by Lynn Canal were found objectionable.

No. 60.

Mr. Hay to the Marquess of Salisbury.—(Received April 1.)

My Lord,

American Embassy, London, March 24, 1898.

I HAVE the honour to transmit herewith a set of the maps of the Alaska Boundary Commission, which I have received from my Government for presentation to that of Her Majesty.†

I have, &c.
(Signed) JOHN HAY.

No. 61.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, April 1, 1898.

I AM directed by the Secretary of State to acknowledge the receipt of your letter of the 31st ultimo, respecting the Alaska Railway Bill now before the United States' Senate.

With regard to the telegram which Mr. Secretary Chamberlain proposes to send to

* Amendments suggested by Foreign Office, and adopted by Colonial Office:—

Omit "Though Her Majesty's Government support view of your Ministers, that view"——

And insert "and Her Majesty's Government are consulting the Law Officers on the point.

"The view of your Ministers"——

† Not printed.

the Governor-General of Canada, informing his Excellency of Sir J. Poncefote's confidential conversation with the Senator in charge of the Bill, I am to observe that the question as to the right of transshipment at Port Wrangel is about to be submitted to the Law Officers of the Crown, and that it seems desirable to inform the Canadian Government that this is being done.

An alteration has accordingly been suggested in the margin of the draft telegram, which is returned herewith. Subject to this alteration, the Secretary of State concurs in its terms.

I am also to suggest that before sending any further instructions to Sir J. Poncefote on this subject, it would be well that Her Majesty's Government should have before them the Report of the Law Officers on the questions referred for their opinion, and also that the views of the Canadian Government on the compromise indicated in his Excellency's telegram should be ascertained.

I am, &c.
(Signed) F. H. VILLIERS.

No. 62.

Colonial Office to Foreign Office.—(Received April 2.)

Sir,

Downing Street, March 31, 1898.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from this Department of even date, a copy of a despatch from the Governor-General of Canada on the subject of the Alaska Railway.

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure 1 in No. 62.

The Earl of Aberdeen to Mr. Chamberlain.

Sir,

Government House, Ottawa, March 4, 1898.

I HAVE the honour to forward herewith, for your consideration, a copy of an approved Minute of the Privy Council submitting a Memorandum from the Minister of the Interior, in which he discusses the present position of affairs in the Yukon district, and the measures proposed by my Government with a view to establishing railway communication with that district.

You will observe that the Minister draws attention to a Bill now before the United States' Congress, which, if passed, will, it is apprehended, interfere with the rights of navigation of the Stikine River, secured to British vessels by Article XXVI of the Treaty of Washington.

My Minister of Justice is of the opinion, as appears from a copy of a letter attached to the Memorandum, that the right of transshipment free from United States' customs duties, is a necessary incident to the right of navigation guaranteed by the Treaty; and Ministers would be glad to know that this contention would be supported by Her Majesty's Government.

I have, &c.
(Signed) ABERDEEN.

Inclosure 2 in No. 62.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 28th February, 1898.

THE Committee of the Privy Council have had under consideration the annexed Memorandum from the Minister of the Interior together with the accompanying documents and map, setting forth the situation in the Yukon mining district, and having reference particularly to the proposed construction of a line of railway from the Stickeen River to Teslin Lake, and to proposed legislation by the United States' Congress, and the possible action of the United States' Government in connection with the transship-

ment of goods from ocean steam-ship to flat-bottomed boats such as are required in the navigation of the Stickeen River, which transshipment is necessary in order to the free navigation of that river as guaranteed by the Treaty of Washington.

The Committee concurring in the said Memorandum, advise that your Excellency be pleased to transmit the same, together with the accompanying documents and map, to the Right Honourable the principal Secretary of State for the Colonies.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE,

Clerk of the Privy Council.

Memorandum from the Minister of the Interior.

A despatch was sent some days ago setting forth the action taken respecting that portion of the Canadian Yukon territory between the summit of the mountains in the White Pass and in the Chilcoot Pass and Lakes Lindeman and Bennett, said action having been taken in view of the possible occupation of the territory in question by American citizens under a claim of right. The present Memorandum is forwarded for the purpose of advising Her Majesty's Government fully upon other matters arising in connection with the same territory.

It is apparently beyond any question that what is known as the Yukon district will be occupied by a large number of people during the coming season. The trade arising from the outfitting of these people is of great magnitude and heretofore has been done largely by American merchants upon the Pacific coast, owing to the fact that it was necessary, in order to enter the Yukon territory, to pass through a strip of land at Dyea and Skagway, which, though claimed to belong to Canada, is in possession of the United States. It is also thought that serious difficulty may be apprehended from the fact that the country is likely to be occupied in the near future by a large population of aliens, who would not be likely to submit to the restraints of law unless the Administration were backed by a sufficient police force. Apprehensions also exist lest a large number of people going into the territory during the coming summer would find themselves without a sufficient supply of provisions when the winter came on. It is needless to go fully into the details of these questions, and nothing further requires to be said than that they received the most careful attention of the Government, and the conclusion arrived at, was that there was urgent necessity for the construction of a railway, which, operated in connection with navigable waters, would give access to the country before navigation closed next fall. Accordingly, an arrangement has been made for the construction of a line of railway from the Stickeen River to Teslin Lake, and a copy of the Bill now pending before the House of Commons to confirm the contract thus entered into is forwarded herewith, with a map of the district. It will be observed that the line of the railway is contemplated to extend from a point on the Stickeen River to Teslin Lake. The use of the line of railway referred to will, for the present, depend upon the navigation of the Stickeen River, and in entering upon the Contract the Government has depended upon the right of navigation of the Stickeen River provided for in the XXVIth Article of the Washington Treaty.

A perusal of the Bill will show that the scheme of the railway is to build first from the Stickeen River to Teslin Lake, making use of the Stickeen River during the coming summer, under the provisions of the Washington Treaty, and thereafter, if the development of the country warrants it (and a line is found practicable), to continue the construction of this railway southerly to a point upon the coast within Canadian territory, thus providing an ocean port and obviating the necessity of making use of the Stickeen River, or of passing through American territory. The Bill also contemplates the idea of not permitting the construction of lines of railway for a limited period into the Canadian Yukon district from points on the international boundary-line, which boundary is at the present time undetermined, except as it is defined in the Anglo-Russian Treaty of 1825.

There were two reasons for adopting this policy. The first was that the promoters of the Railway Company were receiving no cash subsidy for the construction of the line, and were unwilling to enter into a Contract therefor, unless they were protected from the possibility of the construction of a shorter line through United States' territory, and starting upon the coast at a more northerly point. They feared that they would be unable to finance for the construction of the road without such a provision. The second reason for the insertion of this provision was that it was desired to secure the construction

of a line that should be exclusively in Canadian territory for military as well as commercial reasons.

Very grave fears are entertained that without an independent line wholly within Canadian territory, if any difficulty should arise in the enforcement of Canadian laws as against lawless miners claiming to be American citizens, it would be impossible to secure the right of passage through territory in the possession of the United States, of men and military supplies into the Canadian Yukon district. A further reason for the adoption of this policy was the undesirability of the trade arising from the operations of miners within the district being subjected to control by the United States.

Herewith is forwarded a Bill which has just passed the United States' House of Representatives, and which it is understood has been referred to a Committee and reported to the Senate. The particular stage at which the Bill stands at the present time is a matter of hearsay, and the above statement may not apply to the facts as they exist when this despatch is received. The Bill is, however, before the United States' Congress with apparently every prospect of being submitted for the signature of the President. It is desired to call special attention to Section 13 of this Bill, which suggests a denial of the bonding privilege at Wrangel, the port of entry at the mouth of the Stickeen River in the district of Alaska, except upon conditions which will, upon perusal, appear to be such as the Government of the Dominion could not, under any circumstances, agree to. It is perfectly understood that this action is only in the shape of proposed legislation. It is also understood that the United States' authorities have the privilege of denying bonding privileges, except upon such conditions as they may see fit to impose, but there is an indication of hostility in this section which, if it becomes law, may prove to be very irritating, and endanger the continuance of cordial relations in matters of international trade.

Unofficial information also reaches the Government that legislation is in contemplation, or is likely to be introduced into the United States' Congress, for the purpose of annexing to the privilege of free navigation of the Stickeen River conditions which would make such right of navigation of no commercial value. It has been assumed, and is now assumed by the Canadian Government, that the Washington Treaty will be loyally carried out according to its true meaning and intention by the United States' Government, but it is conceived to be the duty of the Canadian Government to call the attention of Her Majesty's Government to the facts as they exist at the present time, to the end that if Her Majesty's Government deem it advisable, representations may be made to the Government at Washington upon the subject.

Another and more important question which arises in connection with the foregoing, is as to the construction of Section 26 of the Washington Treaty. The Stickeen River is a shallow river, and vessels navigating it require to be specially constructed for the purpose. The convenient method of making use of the Stickeen River for purposes of navigation would be by transshipping merchandize from ocean vessels in the harbour, or at the dock at Wrangel, to flat-bottomed river boats. The Canadian Government claims that the right of free navigation for commercial purposes given to British subjects by the Treaty of Washington, permits a British vessel to proceed to Wrangel, there under reasonable Regulations to tranship its cargo to a British river boat either in the harbour or at the dock, said cargo being taken up the river to Canadian territory in the river boat without payment of duty, or without being bonded. It is feared that the question of our right of transshipment at Wrangel may become acute at an early date. Reports have reached us from Washington to the effect that our right is doubted by leading Members of the United States Congress, and the United States' Secretary of the Treasury, in answer to inquiries on the subject, states that he is considering the matter. It is understood that this question is under discussion at Washington, and that although no formal decision has yet been given by the Treasury Department of the United States, it is not yet admitted by that Government that the right of transshipment at Wrangel exists.

The opinion of the Minister of Justice of Canada upon the right of transshipment at Wrangel, under the Washington Treaty, is appended hereto, and the Canadian Government would be pleased to know that their views upon this important subject are concurred in by Her Majesty's Government.

(Signed)

CLIFFORD SIFTON,
Minister of the Interior.

Department of the Interior, February 28, 1898.

*Department of Justice, Canada, Ottawa,
February 27, 1898.*

Sir,

I have the honour to acknowledge the receipt of your communication of the 26th instant, inviting my attention to the Article XXVI of the Treaty of Washington, which provides that:—

“The navigation of the Rivers Yukon, Porcupine, and Stickine, ascending and descending, from, to, and into the sea, shall forever remain free and open for the purposes of commerce to the subjects of Her Britannic Majesty and to the citizens of the United States, subject to any Laws and Regulations of either country within its own territory not inconsistent with such privilege of free navigation.”

You ask me to advise you as to whether under this Article British ships laden with goods for the Yukon country are entitled on arriving at or near Wrangel at the mouth of the Stickine River, to tranship their cargoes into flat-bottomed British boats or ships and transport them through that portion of the Stickine River flowing through American territory without paying duty thereon and without bonding the goods.

In reply, I beg to say that I am of opinion that British ships laden with goods intended for the Yukon district having the right under the foregoing Article, to navigate the Stickine River for purposes of commerce, are entitled, on arriving at Wrangel or other convenient points where sea navigation terminates and river navigation begins, by the settled usage of international law to tranship articles of commerce from sea-going vessels to river vessels without paying duty, and without bonding the goods, and subject only to such reasonable Regulations as the Government of the United States may make, not inconsistent with this principle of free navigation.

Wherever the right of navigating a river for commercial purposes is conceded, it draws after it, as incidental to its navigation, all the means which are necessary to the full enjoyment of the principal right, such as the mooring of vessels to the bank of the river for the purpose of loading and unloading its mercantile cargo. These are mere accessories to the navigation, which by Treaty has been granted. This rule is derived from the Roman Law, and was applied by continental jurists to the river flowing through the territories of different States, and has been generally accepted as a doctrine of international law, as it was found that the use of the adjacent lands for these purposes was necessary for the attainment of the end for which free navigation was permitted.

The doctrine was practically applied under the provisions of the Treaty of Paris of 1763, by which the right to navigate the whole of the River Mississippi was ceded to British subjects, and expressly that part of the river between the Island of New Orleans and the western bank. The Treaty contains not a word about the use of the shores, though, at this point, both banks belonged to France, and were shortly after ceded by France to Spain. Had not the use of the shores been considered as incident to the use of the water, express stipulation would have been necessary, as Mr. Wheaton says, it was too obvious to have escaped the attention of either Party. British subjects accordingly used the shore habitually for purposes necessary to the navigation of the river.

After the territory became Spanish territory a Spanish Governor at New Orleans undertook to forbid this use, and cut loose the vessels fastened to the shore.

A British vessel moored immediately opposite to the town set out guards with orders to fire on such as might attempt to disturb her moorings. The Spanish Governor acquiesced in this interpretation of the Treaty, and it was subsequently exercised without interruption. Whatever is reasonably necessary to the exercise of the principal right—that of navigation for the purpose of commerce—is incidentally granted to the party upon whom the right is conferred.

I am of opinion that the right under this clause of the Treaty to tranship does not admit of doubt.

I have, &c.

(Signed) DAVID MILLS.

The Right Honourable Sir Wilfrid Laurier, G.C.M.G.,
Prime Minister.

The attention of the Minister of Justice is called to Article XXVI of the Treaty of Washington, which reads as follows :—

“The navigation of the Rivers Yukon, Porcupine, and Stickine, ascending and descending, from, to, and into the sea, shall for ever remain free and open for the purposes of commerce to the subjects of Her Britannic Majesty and the citizens of the United States, subject to any Laws and Regulations of either country within its own territory not inconsistent with such privilege of free navigation.”

The Minister of Justice is requested to advise whether, under that Article, British ships, laden with goods intended for the Yukon district, are entitled on arriving at or near Wrangel at the mouth of the Stickine to tranship their cargoes into flat-bottomed British boats or ships and transport them through that portion of the Stickine River flowing through American territory without paying duty thereon and without bonding the goods.

(Signed) WILFRID LAURIER.

February 26, 1898.

In view of the urgency of the situation respecting transportation to the Yukon district the Government have made a Contract for the construction of a railway by the Stickine River.

Contract now before Parliament for ratification.

For the effective use of route very necessary that transhipment at Wrangel should be permitted by Regulations to be issued under Section 26 Washington Treaty. Understood that Treasury Department at Washington have this subject under consideration.

Also understood that Members of Congress have initiated legislation looking toward hostile Regulations.

Despatch setting out situation fully is going forward. Copy of same being sent to-day to Sir Julian Pauncefote.

Suggested that Sir Julian Pauncefote interview State Department in interest of friendly Regulations permitting transhipment.

Do not know that it is intended to refuse transhipment, but suggested for consideration that it might be well to interview State Department in advance.

No. 63.

The Marquess of Salisbury to Mr. Hay.

Your Excellency,

Foreign Office, April 3, 1898.

I HAVE had the honour to receive your note of the 24th ultimo, and I beg leave to request that the thanks of Her Majesty's Government may be conveyed to the Government of the United States for the set of maps of the Alaska boundary which they have been good enough to forward for presentation by your Excellency.

I am, &c.

(Signed) SALISBURY.

No. 64.

Colonial Office to Foreign Office.—(Received April 4.)

Sir,

Downing Street, April 4, 1898.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from this Department of the 7th March, a copy of a despatch from the Earl of Aberdeen on the subject of Canadian Regulations adopted for the territory of Yukon.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure 1 in No. 64.

The Earl of Aberdeen to Mr. Chamberlain.

(Confidential.)

Sir,

Government House, Ottawa, March 14, 1898.

IN reply to your cypher message of the 9th instant, asking for information as regards Transportation, Customs, and Navigation Regulations adopted by this Government for the Territory of Yukon, I have the honour to forward herewith, copy of an approved Minute of the Privy Council for Canada, submitting the desired information.

I have, &c.

(Signed) ABERDEEN.

Inclosure 2 in No. 64.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 14th March, 1898.

THE Committee of the Privy Council have had under consideration a despatch, hereto annexed, dated the 9th March, 1898 (Secret), from the Right Honourable the Secretary of State for the Colonies, asking for full information as to Transportation, Customs, and Navigation Regulations adopted by the Canadian Government for Alaska.

The Minister of Customs, to whom the said despatch was referred, reports that the Regulations contained in the following documents herewith submitted have been adopted, and apply to transportation, customs, and navigation in Alaska and Canada, as therein set forth, viz. :—

1. Coasting Regulations, together with Regulations respecting foreign trading-vessels approved by Order in Council of the 25th July, 1888.

2. Memorandum No. 966 B, issued by the Customs Department of Canada, the 9th February, 1898, respecting entry of goods into the Yukon district and Stickeen, and containing also Regulations for carrying goods of the United States and other foreign goods in transit through Canada, from Juneau, Alaska, to Circle City, or other points in Alaska, United States, via Chilkoot or White Pass.

3. Memorandum issued by the Customs Department on the 21st February, 1898, respecting temporary Regulations *re* entry of Canadian goods into Yukon district during season of 1898, when carried in foreign vessels via St. Michael.

4. Customs Act.

5. Customs Tariff.

The Minister further reports that copies of the Regulations as to foreign trading vessels were transmitted by your Excellency on the 3rd March last to Her Majesty's Ambassador to the United States, with the statement that trading vessels of the United States may navigate the waters of the Yukon, Porcupine, and Stickeen Rivers in Canadian territory on compliance with the said Regulations *re* foreign trading vessels and under the provisions of the Customs Act, which are at present in force, subject, however, to such amendments of said Act and Regulations hereafter, from time to time, as may be deemed necessary, and that particular attention be directed to Sections 1, 2, 3, and 7 of the Regulations *re* foreign trading vessels.

The Committee advise, on the recommendation of the Minister of Customs, that your Excellency be moved to transmit a certified copy of this Minute, together with the documents herewith submitted, to the Right Honourable the Principal Secretary of State for the Colonies for the information of Her Majesty's Government.

All of which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. McGEE,

Clerk of the Privy Council.

Memorandum.

Temporary Regulations re Entry of Canadian Goods into Yukon District during Season of 1898, when carried in foreign Vessels via St. Michael.

Referring to Memorandum No. 966 B, dated the 9th February, 1898, *re* entry of goods into Yukon district and Stickeen, Collectors of Customs in the Yukon provisional district are hereby instructed that goods purchased in Canada (duty paid or produce of Canada) may be admitted free of duty into the said district during the year 1898, unless otherwise ordered, when carried by St. Michael and the Yukon River from a port in Canada or of the United States, notwithstanding that the transportation by water is partly or wholly by a foreign vessel, subject, however, to the following Regulations prescribed by the Minister of Customs:—

(a.) A manifest or invoice, duly certified and containing a particular description of the merchandize by packages, marks, numbers, and contents, shall be presented to the Customs officer at the Canadian port of entry in the Yukon district.

(b.) When the goods are shipped from a port in British Columbia, the certificate of a Canadian Customs officer may be indorsed on the manifest or invoice, to the effect that the goods described have been shipped duty free from a port in British Columbia (the same as in Section 5 (a) of Memorandum No. 966 B).

(c.) When goods purchased in Canada, as aforesaid, are forwarded through the United States, it is directed that the manifest or invoice shall have thereon a certificate of the Canadian exporter or his agent attested before a Customs officer in Canada as near as may be in the form and to the effect set forth hereafter in schedule (Form 1 c).

(d.) The identity of the goods shall be established to the satisfaction of the Customs officer at the port of entry in the Yukon district, and shall be attested by the oath of the importer or his agent.

2. Although one invoice only is required for Canadian Customs purposes, it will be advisable for parties purchasing goods in Canada to provide themselves with invoices in duplicate duly certified, so as to avoid trouble and delay in passing entries, in case of lost or stray invoices.

3. Customs officers in the Yukon district are required to examine the marks and numbers on the packages landed, comparing the same carefully with the invoices, and opening such packages as may be necessary for examination.

4. The foregoing Regulations are temporary, applying only to the entry of Canadian goods via St. Michael and the Yukon River, and ceasing to apply to any such Canadian goods carried in foreign bottoms after the season of 1898.

(Signed)

JOHN McDOUGALD,

Commissioner of Customs.

*Customs Department, Canada, Ottawa,
February 21, 1898.*

FORM 1c.

Certificate (from Canadian Exporter or his Agent) for the Yukon Trade, vid St. Michael, during 1898.

I, _____, do solemnly declare and certify the foregoing to be the true and correct invoice of goods, duty paid or the produce of Canada, with the marks and numbers of the packages in which shipped per _____ to _____ and as sold by the said _____ on account of _____.

The said invoice being dated at _____ and amounting to _____ dollars.

(Signature) _____

Sworn to at _____,
this _____ day of _____, 1898.

Before me,

Customs Officer.

(Customs stamp.)

No. 65.

Foreign Office to the Law Officers of the Crown.

Gentlemen,

Foreign Office, April 4, 1898.

I HAVE the honour to transmit to you, by direction of the Marquess of Salisbury, the accompanying papers relating to the question of the extent and character of the obligations which devolved on the United States' Government in consequence of their purchase of the Territory of Alaska from Russia in 1867.

Article VI of the Treaty between this country and Russia of 1825 (Paper A), states:—

"It is understood that the subjects of His Britannic Majesty, from whatever quarter they may arrive . . . shall for ever enjoy the right of navigating freely, and without any hindrance whatever, all the rivers and streams which in their course towards the Pacific Ocean may cross the line of demarcation upon the line of coast described in Article III of the present Convention."

This arrangement was re-enacted by Article XIX of the Treaty of 1859 (Paper B).

When the Territory was ceded to the United States by Russia by the Treaty of the 30th March, 1867 (Paper C), the cession was declared (in Article VI), "to be free and unincumbered by any reservations, privileges, franchises, grants, or possessions, by any associated Companies, whether corporate or incorporate, Russian, or any other, or by any parties, except merely private individual property-holders; and it was added that "the cession hereby made conveys all the rights, franchises, and privileges, now belonging to Russia in the said Territory or dominion and appurtenances thereto."

On the 26th December, 1867, the Queen's Advocate having been consulted on the matter, reported that the United States were bound by the Articles from the Treaty of 1825 as regards the limits of the ceded Territory, these Articles having been recited in the Treaty of 1867, but that "as regards the other Articles . . . , none of the obligations contracted by Russia towards Great Britain under those Articles devolve upon the United States by virtue of the Treaty of Cession."

Subsequently, by Article XXVI of the Treaty of Washington of 1871 (Paper D), between the United States of America and Great Britain, it was provided that "the navigation of the Rivers Yukon, Porcupine, and Stikine, ascending and descending from, to, and into the sea, shall for ever remain free and open for the purposes of commerce to the subjects of Her Britannic Majesty, and to the citizens of the United States, subject to any Laws and Regulations of either country within its own territory, not inconsistent with such privilege of free navigation."

It should be observed that the cases of the Yukon and Porcupine are not covered by the Treaty of 1825, but that the Stikine is among the rivers declared by that Treaty to be for ever free to British subjects. It must also be remembered that Article XXVI of the Treaty of Washington is in the form of a reciprocal agreement, and that by the first portion of the Article, similar advantages were accorded to the citizens of the United States in the River St. Lawrence.

In 1876-77, the question of the right to the free navigation of the Stikine through Alaska was again raised in connection with the conveyance in the custody of British colonial constables, of a convicted prisoner, named Peter Martin, from Laketown in British Columbia to Victoria in the same Colony. The journey was performed by boat upon the Stikine River, which for some considerable distance between the two places mentioned, flows wholly through United States' (Alaska) Territory. Peter Martin alleged that he was a United States' citizen, and the United States' Government claimed his surrender on the ground (amongst others) that his conveyance through Alaska was, in such circumstances, illegal.

The papers were referred to the Law Officers of the Crown and to Dr. Deane, Q.C., who, on the 2nd June, 1877, reported that the surrender of Peter Martin should be conceded on the ground that the unauthorized conveyance of a prisoner through the territories of a foreign Power is an infraction of the rights of sovereignty of such Power.

In the course of their Report, the Law Officers made the following observations with reference to the rights of Great Britain in regard to the free navigation of the Stikine:—

“Whether Great Britain, on the sale of Alaska by Russia to the United States in 1867, lost her rights to the free and unrestricted navigation of the rivers flowing through that Territory to the sea, secured to her by the Convention with Russia of 1825, depends upon the construction of the VIth clause of the Convention of 1825.

“That clause gives to British subjects the right of free navigation upon the rivers in question in perpetuity, and Russia could not, in our opinion, voluntarily, and without the consent of Great Britain, withdraw this permission.

“By clause VI, however, of the Treaty of the 30th March, 1867, between Russia and the United States, Russia declared the cession of the Territory and dominion to be free and unincumbered by any reservation, &c., and, therefore, did virtually revoke the permission she had granted, and by so doing gave Great Britain ground for serious complaint.”

“2. Whatever might have been the nature of the right conferred upon Great Britain by the Convention of 1825, we are of opinion that by the subsequent conduct of her Government, especially by the negotiations which led to the Treaty of Washington, and by that Treaty itself, she has lost that right. It may be suggested that the 26th clause of the Treaty of Washington was merely declaratory, but we cannot take this view. We consider that, fairly construed, the stipulations in that clause give new rights, and amount to that extent, and in that sense, to an admission that any former rights were abrogated.

“3. If the rights of free navigation under the Convention of 1825 still existed, we should doubt very much whether the conveying a prisoner through American waters, and still more the landing him in custody upon American territory, would be within the terms of the Convention.”

The consideration arising out of these papers are discussed in the correspondence which has recently passed between this Department and the Colonial Office. (Papers G. and H.)

Mr. Secretary Chamberlain suggests that in reporting on the case of Peter Martin in 1877, the Law Officers (see Paper F) were probably not in possession of the circumstances in which the Treaty of 1825 was concluded, or of the actual text of the Treaty of 1867, which is quoted in the present letter.

With regard to the Treaty of Washington of 1871, it is urged that Article XXVI does not contain anything which can be construed as waiving the rights of British subjects under the Treaty of 1825 of freely navigating the Lower Stikine.

I am also to inclose a further correspondence between this Department, the Colonial Office, and Her Majesty's Ambassador at Washington respecting the Regulations to be issued by the United States' Government for the navigation of the Stikine. It will be seen that the Canadian Government have made a contract for the construction of a railway to the gold-fields by the Stikine River, and that for the effective use of this route it is very necessary that the Regulations to be issued by the United States under Article XXVI of the Treaty of Washington, should permit transshipment at Wrangel.

Sir J. Pauncefote's telegram No. 12 of the 7th March (Paper K) contains a summary of the conditions under which in the Bill now before the United States' Congress, it is proposed that such transhipment and bonding privileges at Wrangel should be granted.

These conditions, in the opinion of the Secretary of State for the Colonies, are entirely inconsistent with the Treaty rights mutually guaranteed to British subjects and American citizens. (Colonial Office letter, 9th March, 1898, Paper L.)

It is urged that the Regulations contemplated by Article XXVI of the Treaty are obviously only such as are required for the purposes of safeguarding the revenue, and of preserving law and order; and that the proposals in the Bill can only be described as an attempt to secure from Her Majesty's Government important political concessions under penalty of being otherwise excluded from the enjoyment of rights already secured by Treaty.

On the 17th March, Sir J. Pauncefote was accordingly instructed (Telegram No. 22, Paper M), should his Excellency consider that the Bill was likely to pass with these conditions, to make representations against the imposition of any restrictions on the exercise of the Treaty right of free navigation which must be held to include the right of transhipment under proper Regulations.

His Excellency has not yet reported whether he has taken any action on these instructions.

Copies of the Regulations issued by the Dominion Government, under which foreign vessels may navigate the Canadian waters of the Stikine, Porcupine, and Yukon Rivers, subject to the provisions of the Customs Act, are annexed (Colonial Office, 21st March, 1898, Paper O), as well as a letter which has been received from the Colonial Office, inclosing a Report from the Canadian Minister of Justice, stating very fully the view taken by the Canadian Government with regard to the construction of Article XXVI of the Treaty of Washington. (Paper P, Colonial Office letter of the 31st March, and inclosure.)

I am to request that Lord Salisbury may be favoured with your opinion as to whether, in virtue of the Treaty of 1825 with Russia, as revived by the Treaty of 1859, Her Majesty's Government can still claim from the United States the right of navigating freely, without any hindrance whatever, all the rivers and streams which in their course towards the Pacific may cross the line of demarcation upon the strip of coast described in Article III of the former Treaty, and also as to the rights of this country under Article XXVI of the Treaty of Washington, in regard to the free navigation of the Stikine, including the right of transhipment at Wrangel.

As the proposed United States' Regulations are already under discussion in Congress, I am to say that the Secretary of State would be glad to receive a reply to this letter at your earliest convenience.

I have, &c.
(Signed) F. H. VILLIERS.

List of Papers.

(A.)	Convention with Russia	..	..	..	..	February 28, 1825
(B.)	Treaty with Russia	..	..	..	..	January 12, 1859
(C.)	Treaty between Russia and the United States	..	..	..	..	March 30, 1867
(D.)	Treaty with the United States..	..	..	..	..	May 8, 1871
(E.)	Minute on P. Martin's case	..	..	..	..	March 26, 1877
(F.)	Law Officers' Report	..	..	..	..	June 2, "
(G.)	To Colonial Office	..	..	..	..	March 8, 1898
(H.)	Colonial Office	..	..	..	..	" 10, "
(I.)	Ditto	..	..	..	..	" 2, "
(J.)	To Sir J. Pauncefote	..	(No. 16, Telegraphic)	..	..	" 2, "
(K.)	Sir J. Pauncefote	..	(No. 12, Telegraphic)	..	..	" 7, "
(L.)	Colonial Office	..	..	..	..	" 9, "
(M.)	To Sir J. Pauncefote	..	(No. 22, Telegraphic)	..	..	" 17, "
(N.)	Colonial Office	..	..	..	..	" 18, "
(O.)	Ditto	..	..	..	..	" 21, "
(P.)	Ditto	..	..	..	..	" 31, "

No. 66.

Colonial Office to Foreign Office.—(Received April 8.)

(A.)

(Confidential.)

Sir,

Downing Street, April 7, 1898.

WITH reference to your letter of the 28th ultimo respecting the delimitation of the Alaska boundary, I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, a paraphrase of a telegram from the Governor-General of Canada to the effect that a despatch is being forwarded stating the reasons why his Ministers demur to the proposal to proceed to the demarcation of the boundary under the Convention of 1892, though they are prepared to agree, without prejudice, to the fixing of a provisional line at the watershed at the head of the Lynn Canal.

Pending the receipt of the despatch promised, Mr. Chamberlain is, of course, unable to say what are the reasons which lead the Dominion Government to demur to action under the Treaty of 1892, but it is, no doubt, due to their belief, which, as Lord Salisbury is aware, Mr. Chamberlain shares, that any discussion by Commissioners representing the parties will lead to no result unless an umpire is appointed whose decision is to be final.

The wide divergence of views between the Canadian and United States' Governments as to the location of the boundary will be readily seen on comparing the boundary as shown on Stanford's Map and defined in the Minute of Council inclosed in the Governor-General's despatch, of which a copy is sent herewith, and as will be seen from the accompanying Memorandum, prepared in this Department, the fact that from Portland Channel to Glacier Bay there is no such continuous range of mountains situated parallel to the coast, as was contemplated by the Treaty, leaves the matter in a position in which there is room for considerable diversity of opinion.

There are in fact only two indications left in the Treaty, namely, that the line is to be parallel to the sinuosities of the coast, and that it is never to exceed the distance of 10 leagues from the coast of the Pacific Ocean. This latter condition is entirely inconsistent with the boundary claimed by the United States, which appears to be a line never nearer to the coast than 10 leagues, and not one never farther from it than that distance.

Looking to the wide range of the windings of the coast, the tracing of a boundary complying with these two conditions would be a difficult task, and where there is room for so much divergence of opinion, it is impossible to expect that any agreement can be reached by discussion.

The United States' Government are, of course, within their right in desiring that the discussion contemplated by the Convention of 1892 should be exhausted before a fresh Convention is entered upon; it must be obvious to them that such a discussion, without any provision for a final determination by arbitration can only lead to delay, and in the meantime interests are being daily created in disputed territory the adjustment of which, when the boundary has been fixed, will give rise to fresh difficulties.

It would appear from the Governor-General's telegram of the 31st ultimo that the watershed at the first summit north of Dyea on the Lynn Canal is already ascertained, and as that summit is far more than 30 marine miles from the Ocean, Mr. Chamberlain presumes that the United States will make no difficulty in accepting it provisionally, without prejudice to the claims of either Party.

He would suggest, therefore, that Sir J. Pauncefore should be instructed to suggest that provisional line without prejudice to the claim of Great Britain to a line at a distance not exceeding 10 marine leagues from the coast of the ocean, and that, if he considers that a supplementary Convention providing for a final adjustment by arbitration of the whole question, has in present circumstances a better chance of being accepted by the Senate, he should press the President to agree to the immediate negotiations of such a Convention on the lines laid down in Lord Salisbury's telegram of the 19th February last.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure 1 in No. 66.

The Earl of Aberdeen to Mr. Chamberlain.

(Telegraphic.) P.

[Undated.]

IN reply to your telegram of the 8th instant, Alaska Boundary, a despatch is being forwarded, stating that reasons why my Government demur to determination of provisional line under Convention of 1892, but they see no objection to provisional arrangement with United States on basis of line drawn by watershed at first summit north of Dyea.

Inclosure 2 in No. 66.

The Earl of Aberdeen to Mr. Chamberlain.

Sir,

Government House, Ottawa, March 4, 1898.

I HAVE the honour to forward herewith a copy of an approved Minute of the Privy Council submitting a Memorandum from my Minister of the Interior, in which he deals with the question of the boundary between Canada and Alaska, and to which is attached a map showing that boundary marked in accordance with what this Government conceives to be the true intent and meaning of the Convention entered into by Great Britain and Russia in 1825.

You will observe that my Ministers consider it advisable that negotiations should be entered into with the Government of the United States with a view to an early settlement and final demarcation of this boundary-line.

I have, &c.
(Signed) ABERDEEN

Inclosure 3 in No. 66.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 28th February, 1898.

THE Committee of the Privy Council have had under consideration the annexed Memorandum dated the 28th February, 1898, from the Minister of the Interior dealing with the question of the boundary between Canada and Alaska, together with a map on which this boundary is shown according to the true intent and meaning of the Convention entered into in 1825 between Great Britain and Russia.

The Committee, concurring in the said Memorandum, advise that your Excellency be moved to transmit a certified copy of this Minute, together with the said Memorandum and map, to the Right Honourable the Secretary of State for the Colonies for the information of Her Majesty's Government, as a statement of the position of the Government of Canada in the matter, and to represent the advisability of entering into negotiations with the Government of the United States with a view to an early settlement and final demarcation of the line in question.

All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

*Department of the Interior, Canada,
Ottawa, February 28, 1898.*

To his Excellency the Governor-General in Council:

THE Undersigned has the honour to submit the accompanying Memorandum dealing with the question of the boundary between Canada and the territory of Alaska, together with a map, on which this boundary is shown according to the true intent and

meaning of the Convention entered into in 1825 between Great Britain and Russia, that is to say, from Cape Chacon, the southernmost point of Prince of Wales' Island, to the north along the channel to strike the continent at the 56th degree of north latitude, and thence along the summit of the mountains situated parallel to the coast to the 141st degree of west longitude, and thence along the meridian of the said degree to the Arctic Ocean.

The territory adjacent to that portion of this boundary-line which lies to the east of the 141st degree of longitude was surveyed by the Commissioners who were appointed under the 1st Article of the Convention entered into in 1892 between Great Britain and the United States to ascertain the facts and data necessary to the permanent delimitation of said boundary-line. The accompanying map, made on the scale of $\frac{1}{960,000}$ of the natural scale, with contour lines for each 1,000 feet measured from the sea-level, has been compiled from the maps submitted by the said Commissioners with their joint Report dated the 31st December, 1895.

The Undersigned begs to point out that the boundary-line as drawn upon this map in accordance with the provisions of the Convention of 1825 differs widely from that claimed by officials of the United States, who, it is understood, assume that the jurisdiction of the United States extends over an area of the continent bounded by a line everywhere 10 marine leagues distant from the nearest point of tide-water. On Lynn Canal a United States' Customs sub-port has been established at Dyea in what is rightfully Canadian territory. In view of this fact, as well as of the increasing importance of the whole territory adjacent to the boundary-line, it appears desirable that the provision of the 1st Article of the Convention of 1892, by which "The High Contracting Parties agree that, as soon as practicable after the report, or reports, of the Commissioners shall have been received, they will proceed to consider and establish the boundary-line in question," be acted upon.

The Undersigned, therefore, has the honour to recommend that your Excellency be moved to transmit the Memorandum and map to Her Majesty's Government as a statement of the position of the Government of Canada in the matter, and to represent the advisability of entering into negotiations with the Government of the United States with a view to an early settlement and final demarcation of the line in question.

Respectfully submitted.

(Signed) . CLIFFORD SIFTON,
Minister of the Interior.

Memorandum.

The Russian possessions and rights on the north-west coast of America, passed by the Treaty between Russia and the United States, dated the 30th March, 1867, to the United States. The Russian possessions on this coast are described and their rights set forth in the Convention entered into between Great Britain and Russia in 1825, to which Convention, accordingly, reference must be had to determine the territorial boundary between Canada and the United States' Territory of Alaska.

Those Articles of the Convention of 1825 which have especial reference to the location of the territorial boundary are Nos. III and IV, which read as follows:—

"Article III. The line of demarcation between the possessions of the High Contracting Parties upon the coast of the continent and the islands of America to the north-west shall be drawn in the manner following:—

"Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of $54^{\circ} 40'$ north latitude and between the 131st and 133rd degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel as far as the point of the continent where it strikes the 56th degree of north latitude; from this last-mentioned point the line of demarcation shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude (of the same meridian); and, finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far the Frozen Ocean, shall form the limit between the Russian and British possessions on the Continent of America to the north-west.

"Article IV. With reference to the line of demarcation laid down in the preceding article, it is understood:—

"1. That the island called Prince of Wales Island shall belong wholly to Russia.

"2. That wherever the summit of the mountains which extend in a direction parallel to the coast (from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude) shall prove to be at the distance of more than 10 marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia, as above mentioned, shall be formed by a line parallel to the windings of the coast, and which shall never exceed the distance of 10 marine leagues therefrom."

1. In this description it is to be observed:—

The point of commencement is the southernmost point of Prince of Wales Island; it is not the parallel of $54^{\circ} 40'$, nor its intersection with any meridian of longitude. The stated latitude and longitudes are recorded for the purposes of identification merely.

Prince of Wales Island is the large island lying to the north of Dixon Entrance, between latitude $54^{\circ} 40'$ (approximately) and $56^{\circ} 20'$, and to the west of Clarence Strait. The island has borne this name since the time of the surveys by Captain Vancouver in 1793 and 1794. The southernmost point of the island is Cape Chacon, the latitude of which, as determined by the Commissioners under the Convention of 1892, is $54^{\circ} 41' 4''$, and the longitude 132° nearly. Cape Chacon is then the point of commencement of the line of demarcation.

2. From the said point of commencement the said line is to ascend to the north along the channel called Portland Channel as far as the point of the continent where it strikes the 56th degree of north latitude, and this line along the channel is to be drawn in such a manner that the island called Prince of Wales Island shall belong wholly to Russia (that is, to the United States). That is to say, the continental territory of the United States is to terminate in latitude 56° . South of that point, the island called Prince of Wales Island is to belong to the United States, together with such small islands as may lie adjacent to the shores of Prince of Wales Island and to the west of the middle of the channel separating it from the mainland; but the description cannot be held to include, besides Prince of Wales Island, such considerable islands as Revillagigedo and the Gravina Islands. Hence, "Portland Channel" of the Convention is not to be identified with the waters named on modern maps—"Portland Inlet" and "Portland Canal." Furthermore, the entrances to Portland Canal and Portland Inlet lie 50 miles nearly east from Cape Chacon, whereas the direction of the Convention is to "ascend to the north;" and, again, Portland Canal does not extend as far north as the parallel of 56 degrees north latitude. The line, therefore, is to be drawn as shown on the accompanying map. Beginning at Cape Chacon, thence up the middle of Clarence Strait to the entrance to Ernest Sound and of Seward Passage, which divides Deer Island from the mainland, reaching the 56th parallel in this passage. The line is thence to be drawn to the summit of the mountains situated parallel to the coast, along which summit, by the following provisions of the Convention, the line is to be drawn.

3. From this last-mentioned point—that is to say, the point where the 56th parallel intersects the summit of the mountains situated parallel to the coast—the line of demarcation "shall follow the summit of the mountains situated parallel to the coast as far as the point of intersection of the 141st degree of west longitude," subject to the 10 marine league limit of Article IV. With regard to this, it is to be observed that, to comply with the requirements of the Convention, it is necessary to find a succession of mountains extending in a direction parallel to, or alongside the coast, and within 10 marine leagues therefrom. It is not required that these mountains should be 10 marine leagues from the coast, or approximately so, nor does any intention appear of giving to Russia a definite area or a strip of definite breadth. The sole office of the provision relating to the 10 marine leagues is to provide, as a safeguard, a limit, beyond which the line of demarcation is not, under any circumstances, to recede. The framers of the Convention assume that there are mountains nearer the coast than 10 marine leagues, an assumption in accordance with the facts, and these mountains the line is to follow. If there is a break or recession in the mountains, the line is to cross this break, keeping its general direction parallel to the coast. It makes no difference what causes the break—whether the recession of the mountains, a river, valley, or arm of the sea not wide enough to be considered part of the ocean—for, by Article IV, the coast is defined as synonymous with the limit of the ocean.

Furthermore, it is evident, both from the language of Article III, as well as the reference in Article VI of the Convention to the "line of coast" (in the French original "lisière de la côte"—that is, literally, marginal strip or border of the coast), that the tops of the mountains nearest the coast are intended.

The line of demarcation in accordance with the principles herein set forth is shown by the red line upon the accompanying map, which is an accurate reduction from the maps made by the Commissioners under the Convention of 1892, and submitted with their joint Report, dated the 31st December, 1895, to a scale of $\frac{1}{980000}$ of the natural scale, and with contour lines indicating every 1,000 feet of elevation above the sea.

The meridian of 141° west longitude is encountered on the summit of mountain ridge 11,565 feet high, situated to the north-west of Libby Glacier and some 3 miles south-west from the peak of Mount St. Elias.

From this last point the line of demarcation is to follow the 141^{st} degree of longitude as far as the Frozen Ocean. No map or topographical description is necessary to elucidate this provision. The line is a purely mathematical one, to be determined by the usual processes of astronomy and geodesy.

(Signed)

CLIFFORD SIFTON

Minister of the Interior.

*Department of the Interior, Canada,
Ottawa, February 28, 1898.*

Inclosure 4 in No. 66.

Memorandum by Mr. Anderson on the Alaska Boundary.

ARTICLE III of the Treaty of 1825 provides: "La ligne de démarcation entre les possessions des Hautes Parties Contractantes sur la côte du continent et les îles de l'Amérique nord-ouest, sera tracée ainsi qu'il suit:—

"A partir du point le plus méridional de l'île dite Prince of Wales, le point se trouve sous la parallèle du 54° degré 40 minutes de latitude nord et entre 131° degré de longitude ouest (méridien de Greenwich), la dite ligne remontera au nord le long de la passe dite Portland Channel, jusqu'au point de la terre ferme où elle atteint le 56° degré de latitude nord; de ce dernier point la ligne de démarcation suivra la crête des montagnes situées parallèlement à la côte, jusqu'au point d'intersection du 141° degré de longitude ouest (même méridien); et, finalement, au point d'intersection, la même ligne méridienne du 141° degré formera, dans sa prolongement jusqu'à la Mer Glaciale, la limite entre les possessions Russes et Britanniques sur le continent de l'Amérique nord-ouest.

"Article IV. Il est entendu, par rapport à la ligne de démarcation déterminée dans l'Article précédent:—

"1. Que l'île dite Prince of Wales appartiendra tout entière à la Russie.

"2. Que partout, vu la crête des montagnes qui s'étendent dans une direction parallèle à la côte depuis le 56° degré de latitude nord au point d'intersection du 141° degré de longitude ouest, se trouverait à la distance de plus de 10 lieues marines de l'Océan, la limite entre les possessions Britanniques et la lisière de côte mentionnée ci-dessus comme devant appartenir à la Russie, sera formée par une ligne parallèle aux sinuosités de la côte, et qui ne pourra jamais en être éloignée que de 10 lieues marines."

The official maps now received from Canada and the United States show the extraordinary divergence of interpretation to which the boundary thus defined is open, or, at any rate, claimed to be open. Both maps are indefensible, and perhaps, of the two, that of the Dominion is the most objectionable.

It will be seen that along the whole of the strip they coincide only at the starting-point—the southernmost point of Prince of Wales Island.

The question then arises, how is the line to proceed after it leaves that point which the Treaty describes as lying in $54^\circ 40'$ north latitude, and between 131° and 133° west longitude. The reason for the vagueness with which the longitude is stated is obvious in looking at the map, as the island was supposed to terminate in two points—Capes Muzon and Chacou, the position of which had not been very accurately

ertained in 1825; and it was part of the arrangement that the whole of the island could belong to Russia; and a line from the westernmost point, if it should have proved to be the most southerly, would, if proceeding in a northerly direction, have cut off a small part of the eastern extremity.

It will be seen, on reference to Sir C. Bagot's despatch, and inclosures, of the 10th October, 1823, and the 29th March, 1824, that the Russians from the outset of the negotiations abandoned the claim to extend their boundary to 51° north latitude, put forward in the Ukase of 1821, and only expressed their determination to adhere to the 55°, which was the line claimed in the earlier Ukase of the Emperor Paul in 1799; and their first formal proposition, in reply to Sir C. Bagot's proposal for a line from Chatham Straits to the head of the Lynn Canal, was as follows:—

“ Les propositions faites par les Plénipotentiaires de Russie à Sir Charles Bagot, que son Excellence a été priée de prendre en mûre considération, tendoient à faire mettre le 55° degré de latitude septentrionale comme ligne de démarcation entre les possessions respectives sur la côte nord-ouest de l'Amérique. F.O. Print 6225, pp. 43 and 56.

“ Cette même limite a déjà été assignée aux possessions Russes par la charte que l'Empereur Paul I^{er} accorda à la Compagnie Américaine. Ibid., p. 59.

“ Comme la parallèle du 55° degré coupe l'île du Prince de Galles dans son extrémité méridionale, laissant en dehors deux points de terre, les Plénipotentiaires de Russie ont proposé que ces deux points fussent comprises dans les limites Russes, évitant par là une division de territoire également incommode aux deux Parties intéressées.

“ Pour compléter la ligne de démarcation et la rendre aussi distincte que possible, les Plénipotentiaires de Russie ont exprimé le désir de lui faire suivre le Portland Canal jusqu'aux montagnes qui bordent la côte.

“ De ce point, la limite monteroit le long de ces montagnes parallèlement aux côtes de la côte jusqu'à la longitude du 139° degré (méridien de Londres), degré où la ligne de prolongation vers le nord formeroit la limite ultérieure entre les possessions Russes et Angloises au nord comme à l'est.

“ Le motif principal qui force la Russie à insister sur la souveraineté de la lisière située plus haut sur la terre ferme depuis le Portland Canal jusqu'au point d'intersection du 60° avec le 139° de longitude, c'est que, privée de ce territoire, la Compagnie Russe-Américaine n'auroit aucun moyen de soutenir les établissemens qui existent dès lors sans point d'appui, et qui ne pourroient avoir aucune solidité.”

It will be seen from this that they insisted on the whole of Prince of Wales Island, and that the boundary on the opposite mainland was to begin at the Portland Canal. From this they never swerved throughout. They did not wish the hunting and trading operations of the Russo-American Company on the islands to be exposed to the competition of their great rivals, the Hudson Bay Company, and insisted on a strip of continental coast sufficient to prevent this. Sir C. Bagot, while willing to allow them the 55th parallel as their island boundary, tried in vain to get a more northerly limit on the continent, but they flatly refused, and Sir C. Bagot had to refer them for further instructions.

The Russians at the same time instructed Count Lieven, their Ambassador here, to make representations to the British Government as to the justice of their demands. This was done in a despatch from Count Nesselrode, the Foreign Minister, to Count Lieven, of the 17th April, 1824, in which the arguments and proposals already quoted were renewed and reinforced, and it is evident that the Russian demand was for the whole of Prince of Wales Island and for the point on the continent nearest to the 55th parallel which offered a natural boundary. Ibid., p. 33.

In his reply to the counter-proposal of the Russian Plenipotentiaries, Sir C. Bagot suggested that the line should proceed from the southern extremity of Duke of Clarence's Sound, along the middle of the strait, to the middle of the strait separating Prince of Wales Island and Duke of York Island from the islands to the north, and debouching on the mainland at 56° 30' north latitude. Ibid., pp. 61 and 62.

This line follows the line claimed in the map just furnished by Canada as to Duke of York Island, where the Canadian line turns to the east, so as to leave Duke of York Island to the United States, and debouches on the coast at latitude 55° north.

Unfortunately for this claim, the correspondence shows that when Canning received Sir C. Bagot's despatch of the 29th March, and Count Nesselrode's despatch to Count Lieven of the 17th April, he took the Hudson Bay Company into council, and the Chairman wrote, under date the 19th April, 1824, to the effect that if His Majesty's Government considered it advisable in other respects to accede to the Ibid., p. 63.

proposals of the Russian Government, they saw no reason to object to them so far as their particular interests were concerned, more especially as the free navigation of the rivers secured them free access to the sea for the purposes of trade.

F.O. Print 6225,
p. 65.

Upon this, Canning, on the 29th May, 1824, informed Count Lieven that Sir C. Bagot's discretion would be "so far enlarged as to enable him to admit, with certain qualifications, the term last proposed by the Russian Government." These qualifications were to consist chiefly in a more definite description of the limit to which the *strip of land* required by Russia on the continent was to be restricted, the selection of a somewhat more western degree of longitude (than 139°, first asked for as the boundary north of Mount Elias, and precise and positive stipulations for the free use of rivers, and of all seas, straits, &c., within the Russian limits. In other words, Canning proposed to yield to the Russian demand for Portland Canal as the boundary, taking, in compensation, 2 degrees more of longitude to the north of Mount Elias.

Ibid., p. 66.

The instructions to Bagot were not sent till the 12th July, and they inclosed the draft of a Convention for the settlement of the whole question. In the covering despatch Canning says that rather than leave the matter unsettled for an indefinite time, "His Majesty's Government have resolved to authorize your Excellency to consent to include the south point of Prince of Wales Island within the Russian frontiers, and to take as the line of demarcation a line drawn from the southernmost point of Prince of Wales Island *from south to north*, through Portland Channel, till it strikes the mainland in latitude 56°," &c.

The draft Convention inclosed defines the boundary-line as "commencing from the two points of the island called 'Prince of Wales Island,'" which form the southern extremity thereof, which points lie in the parallel of 54° 40', and between the 131st and 133rd degrees of west longitude (meridian of Greenwich), the line of frontier between the British and Russian possessions *shall ascend northerly along the channel called Portland Channel till it strikes the coast of the continent lying in the 56th degree of north latitude*," &c.

The parallel French version of the part in italics is: "remontera, au nord, par la passe dite le Portland Channel, jusqu'à ce qu'elle touche à la côte de la terre ferme située au 56° degré de latitude nord," &c.

Ibid., p. 69.

The draft Convention did not quite satisfy the Russians, though in regard to the part of it, Sir C. Bagot, in sending home their "contre-projet," regarded their modifications of this part as unimportant, the main difficulty arising from the provision as to liberty of trade.

Ibid., p. 70.

This "contre-projet," Article 1, says the line should be traced: "à partir de deux points qui forment l'extrémité méridionale de l'île dite du Prince de Galles laquelle appartiendra tout entière à la Russie, points situés sous la parallèle de 54° 40' de latitude nord, et entre les 131° et 133° de longitude ouest (méridien de Greenwich) la ligne de la frontière entre les possessions Russes et les possessions Britanniques remontera au nord par la passe, dite le Portland Channel, jusqu'au point où cette passe se termine dans l'intérieur de la terre ferme au 56° de latitude nord," &c.

This description implies that Portland Channel terminates at 56° north latitude, which it does not, and, indeed, it must have been well known that it did not at the time, as Vancouver's Charts and all the contemporary maps terminate it at about 55° 45'; and in the final Treaty this was provided for by saying that "la dite ligne remontera au nord le long de la passe dite Portland Channel, jusqu'au point où la terre ferme où elle atteint le 56° degré de latitude nord" (i.e.) the line to go north along the channel till it—the line—reaches the 56th degree of north latitude.

The Canadian contention, that the line is to proceed by Clarence Sound, is based on the words "remontera au nord," and the fact that Portland Canal does not terminate at the 56th parallel, and they maintain that Portland Channel is not to be identified with Portland Canal, but with Clarence Strait and the inlet known as "Ernest Sound."

Mr. Bayard to
Mr. Phelps,
November 4, 1885,
F.O. Print 5439,
pp. 4 and 8.
N.A. 119, p. 26.

The United States, on the other hand, maintain that from the south point of Prince of Wales Island, supposed by the negotiators, on the strength of Arrowsmith's Maps, to be in 54° 40' north latitude, the line was to proceed for 50 miles along the parallel to the mainland coast, striking it at the mouth of Observatory Inlet, to which in later times the name Portland Inlet has been given; and they found this claim confirmed by the fact that this inlet is the most navigable, and, further, on the assertion that the Treaty, in saying that Prince of Wales Island was to belong wholly to Russia, mea-

a small island called, in later times, "Wales Island," lying between Portland Channel or Canal and Observatory Inlet, as named on the older maps.

This contention, as well as the Canadian one, is untenable. In Canning's Draft the French version of which "remontera au nord" first appears, the phrase is used equivalent to "shall ascend northerly," though in the English translation of the Treaty it is "shall ascend to the north." The correspondence shows that Portland Canal or Channel—the terms are used indifferently—was perfectly well known, and the contemporary maps show it as following the line of what is now called Pearce Channel and Portland Canal—being, in fact, as already mentioned, the first inlet giving a natural boundary below the 55th parallel, and it was on this ground that Russia insisted for it, and stuck to it all through (see pp. 59 and 60 F.O. 6225). Moreover, Sir C. Bagot, in his "amended proposal," gives the entrance to the channel as 54° 45', which is the latitude of the entrance of Portland Channel as defined on Vancouver's Charts and other contemporary maps.

F.O. Print 6225,
p. 59.

If the fact is borne in mind that the continental line was to begin at 54° 45', while the island boundary—the south extremity of Prince of Wales Island—was proposed to be in 54° 40', Canning and the other negotiators were not inaccurate in describing the line from a point in 54° 40' to a point in 54° 45' as "ascending northerly" or "ascending to the north." Moreover, if the westernmost point of Prince of Wales Island (now found to be on a separate island) had proved to be the southernmost, a straight line from it to the mouth of Portland Canal might have cut off the tip of the south-eastern extremity of the island, and hence the insertion by the Russians of the provision that the whole island was to belong to Russia.

The definition already quoted from the Russian "contre-projet" to Canning's Draft "jusqu'au point où cette passe se termine dans l'intérieur de la terre ferme," shows that the Canadian contention is untenable, even if it were not the case that Clarence Strait was perfectly well known and referred to by that name during the negotiations, or that it was not likely to be confused with Portland Canal or Channel. Ernest Sound, moreover, was named in Vancouver's Atlas by the name "Prince Ernest Sound," so that it was impossible for the negotiators with that before them to have spoken of a line through Clarence Strait and Ernest Sound as passing through Portland Canal.

Ibid., p. 69.

The claim of the United States that, by "Prince of Wales Island shall belong wholly to Russia" in the Treaty, Wales Island is meant is wholly untenable, as the previous Article in which it is stated that the southernmost point of the island lies between 131° and 133° west longitude shows unmistakably what island was referred to.

Vancouver, who gave Portland Canal its name, shows, both from his maps and voyages as quoted in Colonel Cameron's Report (N.A., 119, pp. 59-67), and, indeed, all the contemporary maps show, that it meant the first inlet below the 55th parallel, and it is equally clear, from what has been cited above as to the demands of Russia, that it was not the inlet below, but the one above Wales Island that was intended, and the line was, in fact, to be drawn in accordance with the first proposal of the Russians as summed up by Sir C. Bagot in his amended proposal (p. 59, F.O. 6225, p. 59):—

"Comme il a été convenu de prendre pour base de négociation les convenances actuelles des deux pays, il est à remarquer, en réponse à la proposition faite par les plénipotentiaires Russes, qu'une ligne de démarcation tracée de l'extrémité méridionale de l'Île de Prince de Galles jusqu'à l'embouchure du Canal de Portland, de là par le milieu de ce canal jusqu'à ce qu'elle touche la terre ferme, de là jusqu'aux montagnes qui bordent la côte, et de là le long de ces montagnes jusqu'à la longitude du 139° 30' gré, &c., ôteroit à Sa Majesté Britannique la souveraineté de toutes ces anses et ces petites baies qui se trouvent entre les latitudes 56° et 54° 45'."

Boundary from the entrance of Portland Channel.

Along the channel itself, the boundary presents no difficulty as it must, in accordance with the usual rule, follow the *medium filum aquæ*, and any islets there are must be insignificant and unlikely to cause trouble.

But once the origin or head of the channel is reached the difficulties begin. Vancouver's Charts and the Russian Maps of 1822 and 1826 show the head of the canal as in north latitude 54° 45', at the foot of the imaginary range of mountains which was selected as the boundary.

F.O. Print 6225.
p. 59.

In the first Russian proposal, presented as a counter-draft to Sir C. Bagot demand for a line by Chatham Straits and the Lynn Canal, they asked "de lui faire suivre le Portland Canal jusqu'aux montagnes qui bordent la côte," and Sir C. Bagot in reply in describing the Russian proposed line says, it would be traced from Prince of Wales Island to the mouth of Portland Canal, "de là par le milieu de ce canal jusqu'à ce qu'elle touche la terre ferme, de là jusqu'aux montagnes qui bordent la côte," &c.

Ibid., p. 60.

In their observations on Sir C. Bagot's amended proposal the Russians speak of "le Portland Channel dont l'origine dans les terres est par le 56° degré de latitude nord," but lower down in the same paper they say "l'origine du Portland Channel, qui est au 56° parallèle."

Count Nesselrode, in his despatch to Count Lieven of the 17th April, 1824, says, "dont l'origine dans les terres entre le 55° et 56° de latitude" (F.O. 6225, p. 33).

Ibid., p. 66.

In Canning's despatch of the 12th July, 1824, the line is to be drawn "from south to north through Portland Channel till it strikes the mainland in latitude 56° and in the draft Convention which he inclosed, the line "shall ascend northerly along the channel called Portland Channel till it strikes the coast of the continent lying in the 56th degree of north latitude."

Ibid., p. 70.

The Russian counter-draft, Article I, says the line "remontera au nord par la passe dite le Portland Channel, jusqu'au point où cette passe se termine dans l'intérieur de la terre ferme au 56° de latitude nord."

It would appear, therefore, that, while Canning did not assume that Portland Canal reached the 56th degree, the Russians did, and, in the draft Convention signed by Stratford Canning and the Russian Plenipotentiaries, which I have had unearthed from Stratford Canning's private papers at the Record Office, there is an erasure between the words "où" and "atteint" in the Treaty, where "elle" has been substituted, the passage appearing as "où . . . elle—atteint le 56° degré de latitude nord," not a scrap of what was erased remains, but it was in all probability, judging from the spacing, "cette passe."

It cannot be said to be at all clear from this résumé of the correspondence how the line is to proceed from the head of the canal to the 56th parallel, whether due north in accordance with the general words "au nord" or to be continued in the line of the canal, the northern end of which has an easterly trend.

The explanation of the difficulty and the course of the line must be sought in the following part of the sentence, "de ce dernier point la ligne de démarcation suivra la crête des montagnes situées parallèlement à la côte," &c. In other words, the point where the line up Portland Channel and the line along the crest of the mountains in the 56th parallel were supposed to coincide. Unfortunately, no copy of the Russian Map of 1822, referred to in the correspondence, is available, and Vancouver's Chart and the Russian Map of 1802 show the crest of the mountains at the head of the canal as well to the south of the 56th parallel. It is evident, therefore, that though they were used in the early stage of the negotiations they could not have been used in the later stages. But the Russian Map of 1826 (No. 5 in portfolio in N.A. 119), probably the same as that of 1822, and Wyld's Map of 1824, show that a line due north from the head of the canal would cut the 56th parallel in the former near the base and in the latter on the crest of the mountains. Canning, in his draft Convention, inclosed in his despatch of the 12th July, 1824, claimed (Article II) the base of the mountain as the boundary, so that he probably had the Russian Map before him at the time.

Ibid., p. 66 B

In any case, the starting-point of the littoral boundary on the 56th parallel must be governed by the condition that it is not to be more than 10 marine leagues from the coast, and it is with this part of the boundary that the greatest difficulty is to be found, and now that the continuous mountain chain on which the negotiators relied for furnishing a natural boundary has disappeared, the question has to be settled how was the 10 leagues to be measured, and how is the boundary to be drawn within that limit.

From the 56th degree north Latitude to the 141st Meridian.

Article IV (2) of the Treaty says: "Partout où la crête des montagnes qui s'étendent dans une direction parallèle à la côte depuis le 56° degré de latitude nord au point d'intersection du 141° degré de longitude ouest, se trouveront à la distance

plus de 10 lieues marines de l'océan, la limite . . . sera formée par une ligne parallèle aux sinuosités de la côte et qui ne pourra jamais en être éloignée que de 10 lieues marines."

The Americans contend that the continuous chain contemplated by the Treaty having been found non-existent we must fall back on the 10-league line and must measure it everywhere so as to give them 10 leagues from the heads of the inlets. The Canadians, on the other hand, claim that the line is to run from peak to peak of the mountains nearest to the coast, crossing inlets, and, in fact, as their map shows, owing to the United States, not a strip of coast, but patches of coast, while the Americans claim, not a strip of coast, but a *continuous strip of land*.

The Canadian claim is based on the hypothesis that, in speaking of the mountains parallel to the coast, the Treaty meant to specify the mountains *nearest to the coast*. There is a good deal in the correspondence as to the Treaty to support this contention. Canning's first despatch to Bagot on the boundary question the 15th January, 1824, says, after suggesting a northward boundary from the head of Lynn Canal by a line to Mount Elias, "It would, however, in that case, be expedient to assign, with respect to the mainland southward of that point (Mount Elias), a limit, say, of 50 or 100 miles from the coast, beyond which the Russian posts should not be extended to the eastward," &c. Russia had in fact no settlement on the strip, and only desired it ostensibly to be able to preserve her monopoly on the island, and from the first the English plenipotentiaries showed themselves alive to the importance of restricting her advance to the interior, already in occupation, or at any rate, within the sphere of the operations of the Hudson Bay Company.

When the first actual negotiation took place as reported in Sir C. Bagot's despatch of the 17th (29th) March, 1824, the Russians describe the mountains in their proposal, in paragraph 4, as the "*montagnes qui bordent la côte*," and in paragraph 5, the line is to ascend along "*ces montagnes parallèlement aux sinuosités de la côte*." In his reply Bagot offered a line from west to east, north of Prince of Wales and Duke of York and to the mainland, and "*de là se prolongeant dans la même direction sur la terre russe jusqu'à un point distant de la côte de 10 lieues marines, la ligne remontera de ce point vers le nord et le nord-ouest, parallèlement aux sinuosités de la côte, et toujours à une distance de 10 lieues marines du rivage*." In other words, the boundary was to be an exact counterpart of the coast at a distance from it of 10 leagues east (*i.e.*) the 10 leagues were to be measured, not perpendicular to the coast, but along a line of latitude.

In their observations on Bagot's proposals the Russians described the mountains as "*la chaîne de montagnes, qui suit à une très petite distance les sinuosités de la côte*."

When the paper sent home by Sir C. Bagot were referred to the Hudson Bay Company, they pointed to the want of accurate geographical information, and suggested that the boundary should be "the nearest chain of mountains not exceeding a few leagues of the coast."

Canning, in informing Count Lieven that he intended sending Bagot further instructions, which would meet the Russian demands in a great degree, intimated that he intended to have "a more definite description of the limit to which the *strip of land* required by Russia on the continent is to be restricted." In his despatch of the 12th July, sending Bagot the further instructions, he says, "His Majesty's Government are resolved to authorize your Excellency to . . . and to take as the line of demarcation, a line . . . thence following the sinuosités of the coast, along *the base of the mountains nearest the sea* to Mount Elias, &c."

In case "the mountains, which appear by the map almost to border the coast, turning out to be far removed from it," there was to be a proviso that the line should in no case "be carried further to the east than a specified number of leagues from the sea." The utmost extent to which they would agree would be 10 leagues; but Bagot was instructed to try for "a still more narrow limitation." These passages show (a) that Canning at this time aimed at the mountains nearest the coast, and (b) that the 10 leagues was to be measured to the east—that is to say, along a line of latitude.

In the draft Convention which accompanied the despatch, the line is laid down in Article II from the 56th parallel: "It shall be carried along that coast, in a direction parallel to its windings, and within the seaward base of the mountains by which it is bounded," &c., and Article III, "shall not, in any case, extend more than 10 leagues from the sea towards the interior, at whatever distance the aforesaid mountains may be found."

F.O. Print 6225,
pp. 49 and 53.

Ibid., p. 59.

Ibid., p. 60.

Ibid., p. 60.

Ibid., p. 64.

Ibid., p. 65.

Ibid., p. 66.

Ibid., p. 66 B.

F.O. Print 6225,
p. 68.

Ibid., p. 67.

Ibid., p. 70.

Canning communicated the instructions and draft Convention to the Russian Ambassador, Count Lieven, who objected to taking the base of the mountains, and asked that the line should run along the summit, on the ground that in the uncertainty of geographical information it was possible "*que les montagnes désignées pour limite s'étendissent par une pente insensible jusqu'aux bords même de la côte.*" Canning yielded to this and instructed Bagot to agree to the summit, "provided always that the stipulation as to the extreme distance from the coast to which the 'lisière' is in any case to run, be adopted (which distance I have to repeat to your Excellency should be made as short as possible)." To Canning's instruction that it was to be the "mountains nearest to the sea." or as in the draft Convention "by which it (the coast) is bounded," Count Lieven took no exception, when, however, Bagot produced it to Count Nesselrode and M. Poletica with whom he was negotiating, they appear to have scented danger, and in their counter-draft, they drew the line from the 56th parallel to follow the coast (Article I) "*parallèlement à ses sinuosités,*" and provided (Article II) that the 'lisière' "*n'aura point en largeur sur le continent plus d'10 lieues marines à partir du bord de la mer.*"

The marginal note on the copy of the Russian counter-draft sent by Count Nesselrode to Count Lieven, says:—

"Dans le premier paragraphe de cet Article, comme dans l'Article II, nous avons supprimé toute mention des montagnes qui suivent les sinuosités de la côte. Elle devenait inutile, ou l'on fixait en lieues marines la largeur de la lisière de terre ferme qui appartiendrait à la Russie."

This counter-proposal was referred to the Hudson Bay Company, who again recommended that the boundary should be "the chain of mountains at a 'très petite distance de la côte,' but that if the summits of those mountains exceed 10 leagues the said distance be substituted instead of the mountains."

Canning was equally alive to the desirability of confining the Russians on the coast within the narrowest limits, and his final instructions to Stratford Canning on the 8th December, 1824, were:—

Ibid., pp. 75 and 78.

"The Russian Plenipotentiaries propose to withdraw entirely the limit of the 'lisière' on the coast which they were themselves the first to propose, viz., the summit of the mountains which run parallel to the coast, and which appear, according to the map, to follow all its sinuosités, and to substitute generally that which we only suggested as a corrective of their first proposition.

"We cannot agree to this change. It is quite obvious that the boundary of the mountains, where they exist, is the most natural and effectual boundary. The inconvenience against which we wished to guard was that which you know, and can thoroughly explain to the Russian Plenipotentiaries to have existed on the other side of the American Continent, when mountains laid down in a map as in a certain given position, and assumed, in faith of the accuracy of that map, as a boundary between the possessions of England and the United States, turned out to be quite differently situated, a discovery which has given rise to the most perplexing discussions. Should the maps be no more accurate as to the western than as to the eastern mountains, we might be assigning to Russia immense tracts of inland territory where we only intended to give, and they only intended to ask, a strip of sea coast.

"To avoid the chance of this inconvenience, we proposed to qualify the general proposition 'that the mountains should be the boundary with the condition if the mountains should not be found to extend beyond 10 leagues from the coast.' The Russian Plenipotentiaries now propose to take the distance invariably as the rule, but we cannot consent to this change. The mountains, as I have said, are a more eligible boundary than any imaginary line or demarcation, and this being their own original proposition, the Russian Plenipotentiaries cannot reasonably refuse to adhere to it.

"Where the mountains are the boundary we are content to take the summit instead of the 'seaward base' as the line of demarcation."

In this despatch he inclosed a *Projet* of a Convention for Stratford Canning's guidance, Article III of which provides that the line shall be drawn in the following manner:—

"Commencing from the southernmost point of island, called Prince of Wales Island, which point lies in the parallel of 54° 40', and between the 131st and 133rd degree of west longitude (meridian of Greenwich), the line of frontier between the British and Russian possessions shall ascend northerly (the whole of Prince of Wales Island belonging to Russia) along the channel called 'Portland Channel' till it strikes the coast of the continent in the 56th degree of north latitude. From the point where the line of demarcation strikes this degree it shall be carried along the summit of the

mountains parallel to the coast as far as the 140th degree* of longitude west of the said meridian, thence the said meridian line of 140th degree west longitude in its extension as far as the Frozen Ocean shall form the boundary of the British and Russian possessions on the Continent of America to the north-west.

"Provided, nevertheless, that if the summit of the aforesaid mountains shall turn to be, in any part of their range, at more than the distance of 10 marine leagues from the Pacific, then that, for that space, the line of demarcation shall be a line parallel to the coast and its windings at the said distance of 10 marine leagues thereon, so that the said line of demarcation shall never extend further than 10 leagues from the coast."

The Convention, as finally settled, follows this draft very closely. Stratford F.O. Print 6225,
p. 84.
Canning, in sending it home, says:—

"The line of demarcation along the *strip of land* on the north-west coast of America assigned to Russia is laid down in the Convention agreeably to your directions, notwithstanding some difficulty raised on this point, as well as on that which regards the order of the Articles, by the Russian Plenipotentiaries."

The Russians evidently felt they had been badly treated in the matter, as Count Scheremetev, in sending to Count Lieven the ratification of the Convention, says:—

"En échangeant cet instrument contre celui qui doit nous être remis par la Cour de Londres, l'Empereur désire, M. le Comte, que vous observiez à Mr. Canning qu'il eût été plus conforme, d'après l'opinion de Sa Majesté Impériale, et aux principes de mutuelle justice, et à ceux des convenances réciproques, de donner pour limite à la lisière de côte que la Russie doit posséder le 56° de latitude nord au point d'intersection du 141° de longitude ouest, la crête des montagnes qui suivent les sinuosités de la côte. Cette stipulation, en effet, eût assuré aux deux Puissances une parfaite égalité d'avantage, et une limite naturelle. L'Angleterre n'aurait pas trouvé son profit partout où les montagnes sont à moins de 10 lieues marines de la mer, et la Russie partout où la distance qui les en sépare est plus grande. Il nous paraît probable que, touchant des contrées dont la géographie est encore peu connue, on ne pouvait proposer de stipulation plus équitable. Votre Excellence ajoutera que le Plenipotentiaire de Sa Majesté Britannique ayant déclaré qu'il se trouvait dans l'impossibilité d'accueillir les vœux que nous lui avons exprimés sous ce rapport, c'est uniquement pour donner au Roi d'Angleterre une preuve de ses dispositions amicales que notre auguste Maître nous a permis de signer cet Article tel qu'il existe dans la Convention actuelle."

It must be noted that in the instructions and draft Convention sent to Stratford Canning, the phrases the "mountains nearest to the sea," and "which bound the coast," are dropped, and the only thing that is really clear from the correspondence is, that it is equally clear from the Treaty, that the English negotiators insisted that the boundary was nowhere to be more than 10 leagues from the *ocean*, and that, as far as possible, it was to follow a supposed chain of mountains within that distance. But as the line is also to follow the sinuosities of the coast, the question at once arises—What is the "sinuosity" or "winding" of the coast? a question of vital importance as regards the Lynn Canal and other openings extending deep into the continent. The old maps show the mountains as extending round the head of these deep inlets, and the new maps now furnished by the Dominion Government, and also that of the American Government, show that there are mountains more or less continuous along the coast, extending, like those on the older maps, round the heads of the inlets, and if, as the Canadian Government propose, a boundary is to be sought along these mountains, what boundary to go round the inlets along the mountains, or to go across them within 10 leagues of the mouth?

It will be seen from what has been cited above that the English negotiators, in giving way as to the southern terminus, were absolutely firm in restricting the width of the "lisière," and that both they and the Russians were convinced that they had achieved this result, and that the actual boundary would give Russia a strip much less than 10 leagues in width. It will be noted, too, that Canning, in the *Projet* which he sent to Bagot on the 12th July, 1824, says: "La limite des possessions Russes ne s'étendra, en aucun cas, s'étendra en largeur depuis la mer vers l'intérieur au delà de la distance de 10 lieues maritimes, à quelque distance que seront les susdites montagnes;" and in his covering despatch he had spoken of the "lisière" as "the strip of land to be occupied by Russia." But when Bagot's negotiations finally failed, and the Russians

* This is obviously an error of copying, as the despatch and the previous despatch to Bagot specify the meridian.

had demanded a 10-league strip all along, while the Hudson Bay Company had again urged the necessity of restricting them, we find a change in his instructions to Stratford Canning.

To Stratford
Canning.
December 8, 1824
(*supra*).

The "lisière" is no longer "a strip of land," but a "strip of sea-coast," and in the *Projet* accompanying it, the summit of the mountains is not to be the boundary it is "more than the distance of 10 leagues from the *Pacifique*." The Treaty itself is the same effect, only that it is "*de plus de 10 lieues marines de l'Océan*."

The substitution of "*Océan*,"—with a capital "O," for so it is in the original—was no doubt, part of the polishing which Stratford Canning, in a private letter, dated the 19th February (3rd March), to George Canning, says he had given the draft, but they mean the same thing clearly—that the 10 leagues was to be measured, not from the head of narrow windings such as abound on the coast, but from the coast of the Ocean proper, excluding all that could and would by international law be territorial waters. The point is not raised in the correspondence, but the Russians stubbornly and successfully resisted Canning's attempt to secure for ever the liberation of "visiting, without hindrance, the gulfs, havens, and creeks" of the coast, and limited it to ten years, and unless these were to be included as territory in the strip, so strong a champion of the 3-mile limit was scarcely likely to have acceded to it, and the only explanation of the significant change of the word "*mer*," in the *Projet* sent to Bagot, to the word "*Pacifique*," in the *Projet* given to Stratford Canning and by him changed into "*l'Océan*" in the Treaty, is that the 10 leagues was to be measured, in the case of inlets, from the point where they ceased to form part of the Ocean, and became territory under the law of nations. No doubt, also, it was clearly recognized that there were sinuosities outwards as well as inwards, and that, if the line went inland a little, with inlets, it would equally recede towards the coast in the case of promontories, being governed throughout its length by the condition that it was never to be more than 10 leagues from the "*Océan*."

In these circumstances, especially in view of the fact that in the final negotiations conducted by Stratford Canning the limitation of the boundary to the mountain nearest the sea or bounding the coast no longer appears, and that the boundary is to be "*la crête des montagnes situées parallèlement à la côte*," with the limitation that it was nowhere to be further than 10 leagues from the sea, it is difficult for us to maintain the contention of the Canadian Government that it is to run from summit to summit of the mountains nearest the sea. We know that the chain of mountains which the negotiators of the Treaty had in view, as shown on the maps of the time, does not exist in that form; but there are mountains more or less continuous along the coast, shown on both the Canadian and United States' Maps and generally with the 10-league limit, and it is along these that the boundary must in the first instance no doubt be sought.

It is clear, also, in any case that the United States either fail to appreciate or ignore the limiting effect of the final clause of Article IV of the Treaty. Canning's indifference to whether the boundary was to be along the base or the summit of the mountains, whether it was to follow sinuosities or not, is easily understood when the consequences of that limitation are appreciated. The United States read the Treaty as if it meant that the boundary-line is to be "everywhere not less than," instead of "nowhere more than," 10 leagues from the sea. Canning dropped the 10 leagues to the coast with which Bagot began, doubtless because he saw that a line so drawn would, drawn parallel to the sinuosities of the coast, give the Russians much more than was subject to the general limitation that it was never to exceed 10 leagues from the coast. In fact, the parallelism to the windings of the coast, combined as it is with the limitations that the line must not exceed 10 leagues even from the furthest headland, will give the United States a good deal more perhaps than the Canadians propose, but still only a fraction of what they claim, and will, at all events, leave the heads of the main inlets in the possession of Canada, which, from the point of view of access to the interior, is of the first importance. From Glacier Bay, Mr. Ogilvie informs me, the St. Elias Alps form a distinct chain, which will give a good natural boundary, so that the difficulty will only be up to that point. But up to Glacier Bay there is no such chain as was contemplated by the Treaty, and it is obviously hopeless to expect to reach an agreement by discussion. The limit that the line is never to be more than 10 leagues from the coast, coupled with the condition that the line is to be parallel to the sinuosities of the coast, though it might be sufficient to enable a judicial and scientific man to trace a line, opens the door for endless discussion; and it is obvious that unless the United States agree to arbitrate on the whole question

an agreement is impossible; and any effort to arrive at an arrangement by discussion will, when every acre may contain an invaluable gold mine, be hopeless.

J. A.

April 4, 1898.

Appendix to Mr. Anderson's Memorandum.

Draft Convention with Russia.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of All the Russias, being desirous of drawing still closer the ties of good understanding and friendship which unite them by means of an Agreement which shall settle, upon the basis of reciprocal convenience, the different points connected with the commerce, navigation, and fisheries of their subjects on the Pacific Ocean, as well as the limits of their possessions on the north-west coast of America, their said Majesties have named their Plenipotentiaries to conclude a Convention for this purpose, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland, &c.

And His Majesty the Emperor of All the Russias, &c.

Who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following Articles:—

ARTICLE I.

It is agreed that the respective subjects of the High Contracting Parties shall not be troubled or molested, in any part of the Great Ocean, commonly called the Pacific Ocean, either in navigating the same, in fishing there, or in landing at such parts of the coasts as shall not have been already occupied, in order to trade with the natives, under the restrictions and conditions specified in the following Articles:—

ARTICLE II.

In order to prevent the right of navigating and fishing exercised upon the Great Ocean by the subjects of the High Contracting Parties, from becoming the pretext for an illicit commerce, it is agreed that the subjects of His Britannick Majesty shall not land at any place where there shall be a Russian establishment, without the permission of the principal officer in authority there, and, on the other hand, that Russian subjects shall not land without similar permission, at any British establishment on the north-west coast.

ARTICLE III.

The line which separates the possessions of the two High Contracting Parties upon the continent and the islands of America to the north-west, shall be drawn in the manner following:—

Commencing from the southernmost point of the island called "Prince of Wales" Island, which point lies in the parallel of $54^{\circ} 40'$, and between the 131st and 133rd degree of west longitude (meridian of Greenwich), the line of frontier between the British and Russian possessions shall ascend northerly (the whole of Prince of Wales Island belonging to Russia) along the channel called "Portland Channel" till it strikes the coast of the continent in the 56th degree of north latitude. From the point where the line of demarcation strikes this degree it shall be carried along the summit of the mountains parallel to the coast as far as the 140th degree of longitude west of the said meridian; thence the said meridian line of 140th degree west longitude, in its extension as far as the Frozen Ocean, shall form the boundary of the British and Russian possessions on the Continent of America to the north-west.

Provided, nevertheless, that if the summit of the aforesaid mountains shall turn out to be, in any part of their range, at more than the distance of 10 marine leagues from the Pacific, then that, for that space, the line of demarcation shall be a line parallel to the coast and its windings, at the said distance of 10 marine leagues therefrom, so that the said line of demarcation shall never extend farther than 10 leagues from the coast.

It is agreed that neither Party shall form any establishment within the limits assigned by this Article to the other Party.

No establishment shall in future be formed by British subjects either upon the coast, or upon the borders of the continent comprised within the limits of the Russian possessions designated in this Article; and in like manner no such establishments shall be formed by Russian subjects beyond the said limits.

ARTICLE IV.

It is understood that the subjects of His Britannick Majesty, as well those who may come from the interior of the continent as those who may come from the Pacifick Ocean, shall enjoy for ever the free and unmolested navigation of all rivers or streams which, in their course to the Pacifick, may be found to cross the line of demarcation on the border of coast described in the foregoing Article.

ARTICLE V.

It is, nevertheless, understood that, for the space of ten years from the signature of the present Convention, the vessels of the two Powers, or those belonging to their respective subjects, shall mutually be at liberty to frequent, without any hindrance whatever, the inland sea, the gulfs, havens, and creeks on the coast mentioned in Article III, for the purposes of fishery and of commerce with the natives of the country.

ARTICLE VI.

The port of Sitka, or Nove Archangelsk, shall be open to the commerce and vessels of the subjects of His Britannick Majesty during the space of ten years from the date of the exchange of the ratifications of the present Convention. In case of a further extension of the term of ten years mentioned in the foregoing Article to any other Power, the like extension shall be granted also to Great Britain.

ARTICLE VII.

The said liberty of commerce shall not include the trade in spirituous liquors, in fire-arms, swords, bayonets, &c., gunpowder, or other warlike stores, the High Contracting Parties reciprocally engaging not to permit the above-mentioned articles to be sold or transferred, in any manner whatever, to the natives of the country.

ARTICLE VIII.

Such British and Russian vessels navigating the Pacifick as may be compelled by stress of weather, or by any other accident, to take shelter in the respective ports, shall be at liberty to refit therein, to provide themselves with all necessary stores, and to put to sea again without the payment of any duties, except port and lighthouse dues, not exceeding those paid by national vessels. In case, however, the master of such ship should be obliged to dispose of some of his merchandize, in order to defray his expences, he shall conform himself to the regulations and tariffs of the place where he may have landed.

ARTICLE IX.

In every case of complaint on account of an infraction of the Articles of the present Convention, the officers employed on either side, without previously engaging themselves in any violent or forcible measures, shall make an exact and circumstantial report of the matter to their respective Courts, who will arrange the same, according to justice, in a friendly manner.

ARTICLE X.

The present Convention shall be ratified, and the ratifications shall be exchanged at
 , within the space of months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at , the day of , in the year of our Lord .

ARTICLE III.

Il est convenu néanmoins, par rapport aux stipulations de l'Article précédent :—

1. Que la susdite lisière de côte sur le Continent de l'Amérique formant la limite des possessions Russes, ne doit, en aucun cas, s'étendre en largeur depuis la mer vers l'intérieur, au delà de la distance de lieues maritimes (3) a quelque distance que seront les susdites montagnes.

2. Que les sujets Britanniques navigueront et commerceront librement à perpétuité (4) sur la dite lisière de côte, et sur celle des îles qui l'avoisinent.

3. Que la navigation et le commerce des fleuves du continent traversans cette lisière, seront libres aux sujets Britanniques, tant à ceux habitans ou fréquentans l'intérieur de ce continent, qu'à ceux qui aborderont ces parages du côté de l'Océan Pacifique.

ARTICLE IV.

(5.) Le port de Sitka, ou Novo-Archangelsk sera et restera à jamais ouvert au commerce des sujets de Sa Majesté Britannique.

ARTICLE V.

(6.) Par rapport aux autres parties des côtes du Continent de l'Amérique du nord-ouest et des îles qui l'avoisinent, appartenantes à l'une et à l'autre des deux Hautes Parties Contractantes, il est convenu que pendant l'espace de dix ans à compter du Avril, 1824, leurs vaisseaux respectifs, et ceux de leurs sujets, pourront réciproquement fréquenter, sans entrave, les golphes, havres, et criques des dites côtes, dans des endroits non déjà occupés, afin d'y faire la pêche et le commerce avec les naturels du pays.

Bien entendu :—

1. Que partout où il se trouvera un établissement de l'une des Hautes Parties Contractantes, les sujets de l'autre ne pourront y aborder, sans la permission du Commandant, ou autre préposé de cet endroit, à moins qu'ils n'y seront forcés par tempêtes ou quelque autre accident.

2. Que la dite liberté de commerce ne comprendra point celui des liqueurs spiritueuses, ni des armes à feu, des armes blanches, de la poudre à canon, ou d'autres espèces de munitions de guerre; tous lesquels articles les deux Puissances s'engagent réciproquement de ne point laisser vendre ni transférer en manière quelconque, aux indigènes de ces pays.

ARTICLE VI.

Dorénavant il ne pourra être formé par les sujets Britanniques, aucun établissement, ni sur les côtes, ni sur la lisière du continent comprises, dans les limites des possessions Russes désignées par l'Article II; et, de même, il n'en pourra pas être formé aucun par des sujets Russes hors des dites limites.

(3.) Dans le premier paragraphe de cet Article, comme dans l'Article II, nous avons supprimé toute mention des montagnes qui suivent les sinuosités de la côte. Elle devenait inutile, du moment où l'on fixait en lieues marines, la largeur de la lisière de terre ferme qui appartiendrait à la Russie.

(4), (5), et (6). Notre dépêche au Comte Lieven renferme toutes les explications nécessaires, quant aux passages soulignés dans ces divers Articles.

Tous les autres n'ont subi, dans notre contre-projet, que de légers changemens de rédaction qui avaient pour but d'y rendre les stipulations encore plus précises et plus faciles à saisir dans leur vrai sens.

ARTICLE VII.

Les vaisseaux Britanniques et Russes navigans dans ces mers qui seront forcés par des tempêtes ou par quelqu'autres accidens à se réfugier dans les ports respectifs, pourront s'y radouber, et s'y pourvoir de toutes choses nécessaires, et se remettre en mer librement, sans payer aucun des droits, hors ceux de port et de fanaux, qui n'excéderont pas ce que payent les navires indigènes, à moins que le patron d'un tel navire ne se trouverait dans la nécessité de vendre quelque marchandise pour défrayer ses dépenses, au quel cas il sera tenu de se conformer aux ordonnances et tarifs de l'endroit où il aura abordé.

ARTICLE VIII.

Dans tous les cas de plainte par rapport à l'infraction des Articles du présent accord, les officiers et employés de part et d'autre, sans se permettre au préalable aucune violence ni voie de fait, seront tenus de rendre un rapport exact de l'affaire, et de ses circonstances, aux Cours respectives, lesquelles la termineront selon la justice et à l'amiable.

ARTICLE IX.

La présente Convention sera ratifiée et les ratifications en seront échangées à dans l'espace de mois, ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires respectifs l'ont signée, et y ont apposé le cachet de leurs armes.

Fait à , le , l'an de grâce 1824.

Sa Majesté le Roi du Royaume-Uni de la Grande-Bretagne et de l'Irlande, et Sa Majesté l'Empereur de Toutes les Russies, désirant resserrer les liens d'amitié et de bonne intelligence qui les unissent, moyennant un accord qui réglerait, sur le principe d'une convenance réciproque, différens points relatifs au commerce, à la navigation, et aux pêcheries de leurs sujets sur l'Océan Pacifique, ainsi que les limites de leurs possessions et établissemens sur la côte nord-ouest de l'Amérique, leurs dites Majestés ont nommé des Plénipotentiaires pour conclure une Convention à cet effet, savoir :—

Sa Majesté le Roi du Royaume-Uni de la Grande-Bretagne et de l'Irlande, &c. ;

Et Sa Majesté l'Empereur de Toutes les Russies, &c. ;

Lesquels, après s'être réciproquement communiqués leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des Articles suivans :—

ARTICLE I.

Il est convenu entre les Hautes Parties Contractantes que leurs sujets respectifs navigueront librement, dans toute l'étendue de l'Océan Paci-

fique, y comprise la mer au dedans du détroit dit de Behring, et ne seront point troublés ni molestés—

1. En exerçant leur commerce et leurs pêcheries dans toutes les parties du dit océan, tant au nord qu'au sud.

Bien entendu que la dite liberté de pêcheries ne sera exercée par les sujets de l'une des deux Puissances qu'à la distance de 2 lieues maritimes des possessions respectives de l'autre.

ARTICLE II.

2. La ligne séparative entre les possessions des deux Hautes Parties Contractantes sur le continent et les îles de l'Amérique du nord-ouest, sera tracée de la manière suivante :—

En commençant des points de l'île dite du Prince de Galles, qui en forment l'extrémité méridionale, lesquels points sont situés sous la parallèle de 54° 40' et entre le 131° et le 133° degré de longitude ouest (méridien de Greenwich), la ligne de la frontière entre les possessions Britanniques et Russes remontera au nord par la passe dite le Portland Channel jusqu'à ce qu'elle touche à la côte de terre ferme située au 56° degré de latitude nord. De ce point elle suivra cette côte parallèlement à ses sinuosités, et sous ou dans la base, vers la Mer des Montagnes, qui la bordent, jusqu'au 139° de longitude ouest du dit méridien. Et de là la susdite ligne méridionale du 130° de longitude ouest, en sa prolongation jusqu'à la Mer Glaciale, formera la limite des possessions Britanniques et Russes sur le dit Continent de l'Amérique du nord-ouest.

1. Dans l'Article correspondant les Plénipotentiaires de Russie ont supprimé les mots "en exerçant leur commerce," parce qu'il leur a paru que cet Article se rapporterait principalement à la navigation en haute mer, et qu'en haute mer il n'y a pas de commerce possible.

D'ailleurs, tout ce qui concerne les relations commerciales se trouve réglé par d'autres Articles.

2. Article II. — Cet Article et le premier du contre-projet Russe :—

Comme dès l'ouverture des négociations l'exécution de l'Oukase de 1821 avait été suspendue en ce qui regarde l'exercice de la juridiction maritime, la question territoriale était la plus essentielle que les deux Puissances eussent à résoudre. C'est donc par définir les possessions respectives que nous commençons dans notre contre-projet. Les possessions une fois définies viennent naturellement les stipulations relatives aux droits qui s'y rattachent, et aux privilèges qui pourront y être exercés de part et d'autre. A ces clauses succèdent celles qui ont rapport à la navigation de l'Océan Pacifique, et qui se rangent toutes sous le même chef.

L'ordre des matières gagne à ce système de rédaction, et il nous semble en général que l'économie de notre contre-projet offrirait plus de clarté.

Nous avons, du reste, en changeant leurs places, conservé tous les Articles du projet Britannique.

No. 67.

Colonial Office to Foreign Office.—(Received April 8.)

(B.)
(Confidential.)
Sir,

Downing Street, April 7, 1898.

WITH reference to the letter from this Department of even date respecting the Alaska boundary, I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, a copy of a telegram from the Governor-General of Canada respecting a written request from the United States' Officer Commanding at Dyea to the officers of the Canadian mounted police exercising jurisdiction at the summits of the Chilcoot and White Passes and at Lake Lindeman.

As Lord Salisbury will see from the letter from this Department under reference, Mr. Chamberlain considers that even the summits of the passes referred to are far beyond the boundary, which can never be more than 10 leagues from the ocean, and, in any case, wherever the boundary may ultimately be fixed, he entirely agrees with the view of the Canadian Government that it is undesirable that such communications should pass between military officers, situated as the officers are at Dyea and remote from telegraphic communication.

He would suggest, therefore, that the substance of the Governor-General's telegram should be communicated to Her Majesty's Ambassador at Washington, with instructions to make a friendly representation to the United States' Government as to the impropriety of the course pursued by their officers in this matter, no doubt through some misapprehension of their instructions.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure in No. 67.

The Earl of Aberdeen to Mr. Chamberlain.

(Telegraphic.) P.

[Undated.]

MY Government has received information that on the 26th March the Officer Commanding the United States' troops at Dyea made in writing official request to Canadian police officers to cease exercising jurisdiction at the summits of Chilcoot and White Passes and at Lake Lindeman.

My responsible advisers are not aware of grounds on which United States' Government contend that its territory extends inland beyond summits of passes, and can scarcely regard this claim as being seriously made.

The Canadian officials have been exercising jurisdiction in the territory mentioned from the period when travel began by these passes last year, and the danger of disorder and disturbance has rendered the establishment of police posts in these passes a necessity.

Since visit of my Minister of the Interior to Washington last December, United States' Government has known that, in opinion of my Government, the summits in the passes were the farthest points inland at which United States could claim jurisdiction.

United States' officers have never been stationed in this territory, unless they have been sent in since establishment of Canadian police posts,

The claim for jurisdiction is now made for the first time.

It is submitted, however, that if Government of United States desire to claim the territory in question now and heretofore in possession of the Dominion, such claim, besides being accompanied with a statement of the grounds on which it is made, should be preferred through the proper diplomatic channels.

My Government, moreover, submit that while summits of passes may be taken as a provisional boundary, Canada's claim that Skagway and Dyea are in Canadian territory is in no way thereby waived or prejudiced.

Under circumstances demanding the utmost efforts of officers of both Governments to preserve law and order and afford succour in distress, my Ministers are also of opinion that it is highly undesirable that any communication of an unfriendly nature should occur between military officers necessarily unacquainted with merits of the unsettled boundary question, and at a place remote from communication by telegraph.

No. 68.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 60.)

(Telegraphic.) P.

Foreign Office, April 9, 1898, 10.30 P.M.

WITH reference to your telegram No. 23 of the 27th March, Alaska boundary.

Canadian Government demur to proceeding with demarcation under Convention of 1892, though I have not yet received a despatch explaining reasons; the objection probably is that the negotiations could lead to no result, in view of wide divergence of views. They are prepared, without prejudice to the claims of either party, to agree to the fixing of a provisional line at the watershed at first summit north of Dyea, and you might ascertain whether this proposal would be agreeable to the United States. The provisional boundary you will observe is considerably more than ten leagues from the coast. If you consider that a supplementary Convention, providing for a final adjustment by arbitration of the whole question, has now a better chance of being accepted by the Senate, you should urge the President to agree that immediate negotiations for drawing up such a Convention, on lines laid down in my telegram of the 19th February, should be entered upon.

No. 69.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 61.)

(Telegraphic.) P.

Foreign Office, April 9, 1898, 11.45 P.M.

I HAVE sent to you by bag a letter from the Colonial Office of the 7th April, complaining of action of United States' officer at Dyea, in requesting Canadian police to cease exercising jurisdiction at Lake Lindeman and at summits of passes.

On its receipt you should make a friendly representation to United States' Government. Point out the extreme inconvenience of allowing local action of this kind to be taken by officers necessarily unacquainted with the present position of the controversy. It is hardly possible that any arbitration can fix a line so unfavourable to Canada as the one thus claimed for the first time; and it is most desirable that both Governments should work harmoniously to relieve distress and preserve order.

No. 70.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received April 11.)

(No. 82.)

My Lord,

Washington, March 26, 1898.

WITH reference to my despatch No. 45 of the 28th ultimo, transmitting a note from the United States' Secretary of State concerning the issue of miners' certificates, I have the honour to transmit herewith copy of a further note from Mr. Sherman upon the same subject.

I have forwarded copies of both Mr. Sherman's notes to the Governor-General of Canada.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 70.

Mr. Sherman to Sir J. Pauncefote.

Excellency,

Department of State, Washington, March 25, 1898.

REFERRING to my note of the 19th ultimo, requesting such modifications of the Canadian Regulations concerning the issue of miners' certificates as will enable persons crossing the passes from Dyea and Skagway to obtain them at points in the north-west territory easily accessible to such persons, I beg to point out that by Article IV of the Canadian Regulations governing places mining in the provisional district of the Yukon, north-west territory, it appears that the designation of such places for the issue of miners' certificates as would be easily accessible to those crossing the passes from Dyea and Skagway is discretionary with the Canadian Minister of the Interior, and that action by the Dominion Parliament is not necessary.

I therefore trust that this discretion may be exercised in compliance with the request submitted by this Government without delay. The importance of prompt action thereon is enhanced by reason of the fact that many persons, are now reported to be crossing, or about to cross, these passes, by which only access to the north-west territory appears to be practicable.

I have the honour to request that you will do me the favour to urge the importance of the matter upon the attention of the Dominion Minister of Interior, and at the same time make known to him the pleasure with which this Government has seen that in his speech, before the Canadian House of Commons on the 15th ultimo, he fully recognized the friendliness of the action of the United States' Treasury Department in the establishment of the sub-port of Dyea and Skagway.

I have, &c.

(Signed) JOHN SHERMAN.

No. 71.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received April 11.)

(No. 40. Commercial.)

My Lord,

Washington, March 29, 1898.

IN my despatch to your Lordship No. 41 of the 25th ultimo, I had the honour to inclose copy of a Minute of the Canadian Privy Council relative to the conditions under which United States' stern-wheel steamers, built in sections and transported to Dyea, might be assembled in British territory, and thereafter navigate the British waters of the Yukon.

I have now the honour to transmit a further Minute received from Canada, in reply to an inquiry from the United States' Government as to the transportation of United States' stern-wheel steamers, built in sections and transported by way of the Stikine River to Lake Teslin.

I have, &c.

(Signed)

JULIAN PAUNCEFOTE.

Inclosure in No. 71.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 21st March, 1898.

THE Committee of the Privy Council have had under consideration a despatch hereto annexed, dated the 8th February, 1898, from Her Majesty's Ambassador to the United States, stating that the Secretary of State of the United States asks to be informed whether the laws and regulations of the Dominion of Canada concerning the transportation of American stern-wheel steamers built in sections and transported by way of the Stikine River to Lake Teslin will be similar to those relating to vessels transported in sections by the Dyea route.

The Minister of Customs, to whom the said despatch was referred, reports that American stern-wheel steamers built in sections, and transported by way of the Stikine River to Lake Teslin, will be dealt with in the same manner and under the same regulations as in the case of similar vessels transported in sections by the Dyea route.

The Committee, on the recommendation of the Minister of Customs, advise that your Excellency be pleased to forward a certified copy of this Minute to Her Majesty's Ambassador to the United States for the information of the Secretary of State of the United States.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE,

Clerk of the Privy Council.

No. 72.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received April 11.)

(No. 92.)

My Lord,

Washington, April 1, 1898.

WITH reference to the second and third paragraphs of my despatch No. 73 of the 18th ultimo, reporting the representations I had made at the request of the Governor-General of Canada respecting the delay in putting into effect at Dyea and Skagway the new bonding Regulations of the United States, I have the honour to report that I am this day in receipt of a note from the United States' Secretary of State, to the effect that arrangements were made for putting the Regulations of the 2nd February last in force as soon as practicable, and that as the Treasury Department is advised that the Collector of Customs at Sitka has recently visited Dyea, it is presumed that they are now in effect.

I have brought this reply to the knowledge of the Governor-General.

I have, &c.

(Signed)

JULIAN PAUNCEFOTE.

No. 73.

Foreign Office to Colonial Office.

Sir, *Foreign Office, April 13, 1898.*
 WITH reference to my letter of the 18th ultimo, respecting the issue of miners' certificates for the Klondike district, I am directed by the Secretary of State to transmit to you a copy of a despatch from Her Majesty's Ambassador at Washington,* inclosing a further note from the United States' Government on the same subject.

Sir J. Pauncefote states that copies of this note, as well as that of the 19th February, have been forwarded to the Governor-General of Canada, and I am to express the hope that an early answer will be given by the Canadian Government if this has not already been done.

I am, &c.
 (Signed) F. H. VILLIERS.

No. 74.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 74.) *Foreign Office, April 15, 1898.*
 (Telegraphic.) P.

WITH reference to your despatch No. 82 of the 26th ultimo.

Telegram has been sent to Canada expressing hope that communication of decision of Canadian Government will soon be made.

No. 75.

Colonial Office to Foreign Office.—(Received April 16.)

Sir, *Downing Street, April 15, 1898.*
 I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 13th instant, with its inclosures, respecting the request of the United States' Government for the modification of the existing Regulations as to the issue of miners' certificates for the Klondike district, and to state, for the information of the Marquess of Salisbury, that a telegram has now been sent to the Governor-General of Canada expressing the hope that the decision of his Government in the matter will be communicated soon.

I am, &c.
 (Signed) H. BERTRAM COX.

No. 76.

Colonial Office to Foreign Office.—(Received April 18.)

Sir, *Downing Street, April 16, 1898.*
 I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 1st instant returning the draft of the telegram which it was proposed to address to the Governor-General of Canada respecting Sir J. Pauncefote's recent conversation with the Senator in charge of the Alaska Railway Bill.

The telegram, with the suggested alteration, was sent on the 2nd instant, and I am now to transmit to you, to be laid before the Marquess of Salisbury, paraphrase of a telegram which has been received from the Governor-General in reply, from which his Lordship will see that the Canadian Government deprecate any hasty action in regard to concessions to the United States in the matter of the routes to Yukon.

Mr. Chamberlain proposes, if Lord Salisbury agrees, to assure the Canadian Government that Her Majesty's Government contemplate taking no action without

consulting them; and I am to inclose, for his Lordship's concurrence, draft of a despatch to that effect.

A paraphrase of a private telegram from Lord Aberdeen is also inclosed, from which it appears that the Canadian Senate has rejected the Yukon District Railway Bill.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure 1 in No. 76.

The Earl of Aberdeen to Mr. Chamberlain.

(Telegraphic.) P.

[Undated.]

REFERRING to your telegram of the 2nd instant:

Before deciding on all-Canadian route, my Ministers had carefully considered building of railway from Lynn Canal. Commercially, the route from Lynn is preferable to all others, but the difficulty of obtaining bonding and other commercially indispensable privileges from United States' authorities determined choice of Canadian route. It appears that such commercial concessions would be made now; but there is still another consideration. My Government hold strongly that Canada must have a road available not only for commercial, but also for military and police, purposes. Unless permission previously granted by United States' authorities, Lynn route could not be used for taking troops in Yukon, whilst the character of the Yukon population requires a route available at any moment for conveyance of police and troops.

Your opinion that the Lynn route is advisable as an additional route has been noted by my Ministers, but the commercial superiority of that route would at once impair the value of the Canadian road.

It appears to my Government, therefore, that no hasty action should be taken.

Inclosure 2 in No. 76.

The Earl of Aberdeen to Mr. Chamberlain.

(Private and Confidential.)

(Telegraphic.) P.

[Undated.]

REFERRING to my telegram of to-day:

No definite action regarding Yukon Railway Bill rejected by Senate has been decided on by my Government. They seem to be disposed to allow the question to remain in abeyance.

Inclosure 3 in No. 76.

Draft of Despatch to the Earl of Aberdeen.

(Confidential.)

My Lord,

Downing Street, April , 1898.

I HAVE the honour to acknowledge the receipt of your telegram of the 10th instant respecting the question of the route for railway communication with the Yukon district.

In reply to the concluding sentence of this telegram, I shall be glad if you will inform your Ministers that Her Majesty's Government do not contemplate taking any diplomatic steps in the matter without their cognizance and concurrence.

I have, &c.

No. 77.

Sir J. Pouncefote to the Marquess of Salisbury.—(Received April 20.)

(No. 49.)

(Telegraphic.) P.

Washington, April 20, 1898.

I HAVE suggested to the United States' Government the adoption of the provisional boundary-line between Alaska and Canadian territory, referred to in your Lordship's telegram No. 60, and am now informed by the Assistant Secretary of State that he believes that the United States will agree to it.

No. 78.

Sir J. Pouncefote to the Marquess of Salisbury.—(Received April 21.)

(No. 99.)

My Lord,

Washington, April 8, 1898.

WITH reference to my despatch No. 36 of the 18th February last, transmitting correspondence as to the passage of an armed body of United States' troops through Canadian territory, to accompany the proposed Alaska relief expedition, I have the honour to forward herewith copy of a further note which I have received from the Acting Secretary of State, asking for permission for parties to pass through Canadian territory instead of the body of troops, for which permission had been granted.

I have forwarded a copy of Mr. Day's note to the Governor-General of Canada.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 78.

Mr. Day to Sir J. Pouncefote.

Excellency,

Department of State, Washington, April 6, 1898.

REFERRING to your note of the 17th February last, informing me that the Dominion Government are willing to permit United States' troops which are destined for places in Alaska beyond the 141st meridian, and are considered necessary for the protection of the relief expedition while in United States' territory, to pass through Canadian territory under certain conditions, I have the honour to state that, in view of reports received from the people in the interior of Alaska, and the uncertainty of reaching them with supplies of food before the opening of negotiations in the Yukon River, it has been decided to abandon the proposed relief expedition, and to utilize facilities which had been provided for them in making explorations, surveys, &c., in portions of territory west of the 141st meridian.

To this end it is desired to send two parties into the interior from the coast, and one expedition from the vicinity of Pyramid Harbour to Bell Isle on the Yukon, via the Dalton Trail and Dawson, North-west Territory, with a view to its making explorations southward and westward of Bell Isle and to its co-operation with the parties from the coast.

This party will be provided with a number of reindeer for transportation purposes, and it is especially desired to send it over the Dalton route, which is reported to be the only one practicable for reindeer at this season.

I have, therefore, the honour to request that you will kindly obtain the consent of the Dominion Government that this party be permitted to pass through its territory over the route named.

It is hoped that early action will be had in this matter, so that there may be no delay in starting the party, which, as now contemplated, will be composed of five non-commissioned officers, including one who acts as quarter-master, &c., and one assistant surgeon, twenty enlisted men, such guides as may be needed and employed, and about 380 reindeer with drivers.

I have, &c.

(Signed) WILLIAM R. DAY,
Acting Secretary.

No. 79.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received April 21.)

(No. 101.)

My Lord,

Washington, April 9, 1898.

WITH reference to my telegram No. 22 of the 26th ultimo, I have the honour to transmit to your Lordship herewith a copy of the *pro-memorid* which I delivered to the State Department, calling the attention of the United States' Government, in the sense indicated by your Lordship's telegram No. 22 of the 17th ultimo, to the Treaty right of Great Britain to the free navigation of the River Stikine through the territory of the United States, including the right of transhipment under proper regulations.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 79.

Pro-memorid.

THE attention of the Undersigned has been directed to the provisions of section 13 of Bill No. 660, H. R. 4975, now before Congress, entitled, "An Act extending the homesteads laws and providing for right of way for railroads in the district of Alaska and for other purposes," which deals with the grant of bonding and other privileges at Wrangel on the Stikine River, on certain conditions. The Bill is now in conference of the two Houses, and the time seems opportune to the Undersigned to express, on behalf of his Government, the hope that care will be taken not to introduce into the Bill any language which might be construed as a restriction of the Treaty right of Great Britain to the free navigation of the River Stikine through the territory of the United States including the right of transhipment under proper regulations.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Washington, March 26, 1898.

No. 80.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received April 22.)

(No. 54.)

(Telegraphic.) P.

Washington, April 22, 1898.

I HAVE consulted the Assistant Secretary of State with regard to the inquiry contained in your Lordship's telegram No. 87, in the matter of the Alaska boundary. He sees no objection to the proposed reply to the question of which notice has been given, nor to an additional statement that an arrangement is likely to be concluded at an early date for a *modus vivendi* at the Passes, pending the permanent settlement of the boundary question.

No. 81.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 87.)

(Telegraphic.) P.

Foreign Office, April 22, 1898.

A QUESTION will be asked in the House of Commons on Monday on the subject of the Alaska Boundary.

Have you been able to act on last sentence of my telegram No. 60 of 9th April? Would there be any objection to stating that the two Governments are considering the question of arbitration?

No. 82.

*Colonial Office to Foreign Office.—(Received April 23.)*Sir, *Downing Street, April 22, 1898.*

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of copies of Sir J. Pauncefote's despatch No. 73 of the 18th ultimo, inclosing a Minute of the Canadian Privy Council respecting the new Bonding Regulations of the United States affecting the conveyance of goods and passengers passing through Alaska into Canadian territory, and relating to the number of United States' Inspectors authorized for the two Canadian Customs Stations on Chilcoot and White Passes.

Mr. Chamberlain would suggest, for the consideration of the Marquess of Salisbury, that the action of Sir J. Pauncefote, in calling the attention of the United States' Government to these matters, as requested by the Dominion Government, should be approved.

I am, &c.
(Signed) C. P. LUCAS.

No. 83.

*Foreign Office to Colonial Office.*Sir, *Foreign Office, April 23, 1898.*

WITH reference to the question, of which notice has been given in the House of Commons, respecting the Alaska Boundary, I am directed by the Secretary of State to inform you that, in reply to an inquiry made by telegraph, Her Majesty's Ambassador at Washington has reported, after consulting the State Department, that there is no objection to the proposed answer to the effect that the question of arbitration is under the consideration of the Governments of the United States and Great Britain, nor to an addition that there is good reason to believe that an agreement will shortly be concluded for a *modus vivendi* at the passes on the routes to the mining districts, pending a final adjustment of the boundary-line.

I am, &c.
(Signed) F. H. VILLIERS.

No. 84.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received April 25.)

(No. 112.)

My Lord,

Washington, April 15, 1898.

WITH reference to my despatch No. 92 of the 1st instant respecting the United States' Bonding Regulations at Dyea and Skagway, I have the honour to transmit herewith copy of a note from the United States' Secretary of State, inquiring whether the Dominion Government intend to establish at or near Glenora (1) an officer authorized to issue miners' certificates, and (2) a Canadian Custom-house.

I have forwarded a copy of Mr. Sherman's note to the Governor-General of Canada.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 84.

Mr. Sherman to Sir J. Pauncefote.

Excellency,

Department of State, Washington, April 13, 1898.

AT the instance of the Secretary of the Treasury, I have the honour to request you to do me the favour to ascertain whether it is the purpose of the Dominion of Canada to establish at or near Glenora (1) an officer authorized to issue miners' certificates; (2) a Canadian Custom-house.

The Department would be much pleased to receive an early reply to the above.

I have, &c.

(Signed) JOHN SHERMAN.

No. 85.

The Law Officers of the Crown to the Marquess of Salisbury.—(Received April 25.)

My Lord,

Royal Courts of Justice, April 23, 1898.

WE were honoured with your Lordship's commands signified in Mr. Villiers' letter of the 4th instant, transmitting to us the accompanying papers relating to the extent and character of the obligations which devolved on the United States' Government in consequence of their purchase of the territory of Alaska from Russia in 1867,* and requesting that your Lordship might be favoured with our opinion, as to whether in virtue of the Treaty of 1825 with Russia, as revived by the Treaty of 1859, Her Majesty's Government can still claim from the United States the right of navigating freely, without any hindrance whatever, all the rivers and streams which in their course towards the Pacific may cross the line of demarcation upon the strip of coast described in Article III of the former Treaty, and also as to the rights of this country, under Article XXVI of the Treaty of Washington, in regard to the free navigation of the Stikine, including the right of transshipment at Wrangel.

In obedience to your Lordship's commands we have taken the papers into our consideration, and have the honour to

Report—

That the terms of Article XXVI of the Treaty of 1871, make it difficult for Her Majesty's Government to base their claims to tranship goods at Wrangel upon rights given to Great Britain in the River Stikine by virtue of the Treaty of 1825, and for the purposes of that claim it does not appear to us to be material whether any right can be claimed under the latter Treaty.

The rights, conferred by the Treaty of 1825, were not, in our view, affected by the cession to the United States, inasmuch as Russia could cede only what she had.

In our opinion, however, the XXVIth Article of the Treaty of 1871 confers on Her Majesty's subjects the right of navigating the Stikine for commercial purposes, and the right of transshipment at Wrangel is an incident to the right of navigation, without which it would be useless. The United States can frame Regulations reasonably regulating the exercise of this right, but cannot impose any such conditions as are contained in the Bill before Congress. Free navigation, including transshipment, is a matter of right.

We have, &c.

(Signed)

RICHARD E. WEBSTER.
ROBERT B. FINLAY.

No. 86.

Foreign Office to Colonial Office.

Sir,

Foreign Office, April 25, 1898.

WITH reference to your letter of the 16th instant on the question of railway communication with the Yukon mining district, I am directed by the Secretary of State to inform you that he concurs in the despatch which Mr. Secretary Chamberlain proposes to address to the Governor-General of Canada, stating that Her Majesty's Government do not contemplate taking any diplomatic steps in the matter without the cognizance and concurrence of the Canadian Government.

I am, &c.
(Signed) F. H. VILLIERS.

No. 87.

The Marquess of Salisbury to Sir J. Pouncefote.

(No. 87.)

Sir,

Foreign Office, April 27, 1898.

I HAVE received your Excellency's despatch No. 73 of the 18th ultimo, inclosing a Minute from the Canadian Government with regard to the new Bonding Regulations of the United States at Dyea and Skagway, and the proposed employment of two United States' Inspectors at the Canadian Customs Stations in the Chilcoot Pass and the White Pass.

I have to inform you that Her Majesty's Government approve your having called the attention of the United States' Government to the facts stated in the Minute and to the measures desired by the Canadian Government.

I am, &c.
(Signed) SALISBURY.

No. 88.

Sir J. Pouncefote to the Marquess of Salisbury.—(Received April 30.)

(No. 122.)

My Lord,

Washington, April 22, 1898.

I HAVE the honour to report that, upon receipt of your Lordship's telegram No. 60 of the 9th instant, on the subject of Alaska-Canadian Boundary, I handed a Memorandum to the United States' Secretary of State on the 18th instant, in the sense of your Lordship's instructions, relative to the provisional line proposed by the Dominion Government to be fixed at the watershed of the first summit north of Dyea.

A copy of the Memorandum is inclosed.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 88.

Memorandum.

IN view of the wide divergence of views existing on the subject of the Alaska-Canadian Boundary, the Dominion Government fear that the suggestion to proceed with the demarcation under the Convention of 1892 would lead to no result.

They are, however, prepared to agree that a provisional line should be fixed without prejudice to the claims of either party at the watershed of the first summit, north of Dyea. Such a provisional boundary would be at a distance of considerably more than 10 leagues from the coast.

Washington, April 18, 1898.

No. 89.

Foreign Office to Colonial Office.

Sir,

Foreign Office, May 5, 1898.

WITH reference to your letter of the 10th March respecting the rights of free navigation by British vessels of the Stikine and certain other rivers which enter the Pacific Ocean through United States' territory, and also to your letter of the 31st March on the subject of the transshipment of goods at Port Wrangel, I am directed by the Marquess of Salisbury to transmit to you, to be laid before Mr. Secretary Chamberlain, a copy of the reference in which these questions were submitted for the opinion of the Law Officers of the Crown,* and a copy of the Report which has been received from them on the subject.†

I am, &c.

(Signed) F. H. VILLIERS.

No. 90.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received May 6.)

(No. 125.)

My Lord,

Washington, April 26, 1898.

WITH reference to my despatch No. 38 of the 22nd February last and subsequent despatches relative to the desired modification of the Canadian Regulations for the issue of miners' certificates in the North-West Territory, I have the honour to transmit herewith copy of a Minute of the Canadian Privy Council, communicated to me by the Governor-General, from which it will be observed that steps have been taken by the Dominion Government to meet the wishes of the United States' Government, and that miners' certificates can now be procured at the Customs posts on the Skagway and Dyea routes to the Yukon district.

I have forwarded a copy of this Minute to the United States' Government.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 90.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 16th April, 1898.

THE Committee of the Privy Council have had under consideration a despatch, hereto annexed, from the Right Honourable the Secretary of State for the Colonies, dated the 19th March 1898, in which Mr. Chamberlain expressed his desire to learn the decision of the Canadian Government upon the request of the United States' Government for the issue of mining certificates at the Dominion Customs posts on the routes from Skagway and Dyea to the Yukon district.

The Minister of the Interior, to whom the said despatch was referred, recommends that your Excellency be moved to inform the Right Honourable the Secretary of State for the Colonies that the request of the United States' Government has been acceded to, and such certificates can now be procured at the Customs posts referred to.

The Minister further states, with regard to the despatch of the 1st April, 1898, from Sir Julian Pauncefote, in which it is stated that arrangements were made by the United States' authorities for putting their Regulations of the 2nd February in force as soon as practicable, and that it is presumed they are now in effect, which has also been referred to him, that his information is to the effect that these Regulations made upon the 2nd February, and now, therefore, more than two months old, are not now in effect, and there seems no possibility of ascertaining from the officials in charge when they are likely to be put into effect.

The Minister desires to call attention to the fact that arrangements looking to the early establishment of these Regulations were made unofficially by himself in the latter

* No. 65.

† No. 85.

part of December 1897. Since that time he, the Minister, has been constantly under the necessity of forwarding instructions to the officers of the Canadian Government beyond the summit of the passes, and, therefore, at more distant and inaccessible places than either Skagway or Dyea, and it has not in any case taken more than eighteen days to transmit instructions to these officers and to have them carried into effect, and, in view of this fact, the extraordinary and unexplained delay in putting into force the United States' Treasury Regulations of the 2nd February, 1898, is the more remarkable.

The Committee, on the recommendation of the Minister of the Interior, advise that your Excellency be moved to forward a certified copy of this Minute to Her Majesty's Ambassador to the United States, in order that the United States' Government may be induced to take such action as may be deemed necessary in the premises.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. McGEE,

Clerk of the Privy Council.

My Lord,

Downing Street, March 19, 1898.

I HAVE the honour to inform you that a copy of Mr. Sherman's note of the 19th ultimo, which was sent to you by Sir Julian Pauncefote, has been communicated to this Department by the Foreign Office.

I shall be glad to learn the decision of your Ministers on this request of the United States' Government for a modification of the Canadian Regulations, so as to provide for the issue of mining certificates at the Dominion Customs posts on the routes from Skagway and Dyea to the Yukon district.

I have, &c.

(Signed)

J. CHAMBERLAIN.

Governor-General,

&c.

&c.

&c.

My Lord,

Washington, April 1, 1898.

WITH reference to your Excellency's despatch of the 10th instant, inclosing an approved Minute of the Privy Council respecting the delay in putting into effect at Dyea and Skagway the new bonded Regulations of the United States, I have the honour to transmit, herewith, copy of a note which I have this day received from the United States' Secretary of State.

Your Excellency will observe that in this note, Mr. Sherman states that the Collector of Customs at Sitka has recently visited Dyea, and that he presumes the Regulations of the 2nd February are now in effect.

At the end of the inclosed note, Mr. Sherman requests that an early reply may be sent to that part of his note of the 19th February, which was inclosed in my despatch to your Excellency of the 28th February.

I have reported to the Marquess of Salisbury the reply received from Mr. Sherman as to the delay respecting the bonded Regulations.

I have, &c.

(Signed)

JULIAN PAUNCEFOTE.

Governor-General,

&c.

&c.

&c.

Excellency,

Department of State, Washington, March 31, 1898.

WITH regard to previous correspondence concerning Customs ports in Alaska, I have the honour to acknowledge the receipt of your note of the 17th instant, stating that the new bonded Regulations had not yet been put into effect at Dyea and Skagway on the ground that there was no accommodations for the Customs Inspectors at Chilkoot Pass and White Pass, and that while two such inspectors are required at the Canadian Customs stations at those points, the appointment of only one United States' Inspector had been authorized.

In reply, I beg to inform you that the Department has received a letter from the Secretary of the Treasury, of the 25th instant, stating that the arrangements were made for putting the Regulations of the 2nd February in force as soon as practicable, and that as the Treasury Department is advised that the Collector of

Customs at Sitka has recently visited Dyea, it is presumed that they are now in effect. The Collector at Sitka has been authorized to appoint such inspectors as may be found necessary for the enforcement of the Regulations on each of the routes designated.

In this connection the Department, at the instance of the Secretary of the Treasury, begs to request the favour of an early reply to that part of its note of the 19th ultimo, which asks for a modification of the Canadian Regulations concerning the issue of miners' certificates as will enable persons crossing the passes from Dyea and Skagway to obtain them at points in the North-West Territory, easily accessible to such persons.

I have, &c.
(Signed) JOHN SHERMAN.

Sir J. Pauncefote,
&c. &c. &c.

No. 91.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received May 6.)

(No. 126.)

My Lord,

Washington, April 26, 1898.

WITH reference to your Lordship's telegram No. 61 of the 9th instant, respecting the request of the United States' Police to the Canadian police officers to cease exercising jurisdiction at the summits of the Chilkoot and White Passes and at Lake Lindeman, I have the honour to transmit, herewith, copy of a Memorandum which I delivered at the Department of State on the 20th instant.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 91.

Memorandum.

INFORMATION has been received by the Canadian Government that on March 26th the officer commanding the United States' troops at Dyea made an official request, in writing, to the Canadian police officer to cease exercising jurisdiction at the summits of the Chilkoot and White Passes and at Lake Lindeman.

Such a claim would be inconsistent with any reasonable construction of the Anglo-Russian Convention of 1825. No such claim had ever been made before, and the Undersigned has, therefore, been instructed to make a friendly representation on the subject, pointing out the extreme inconvenience of such action as that complained of being taken by local officers necessarily unacquainted with the present position of the controversy.

It is hardly possible that any arbitration could fix a line so unfavourable to Canada as the one thus claimed by the United States' local official, and it is most desirable that both Governments should work harmoniously in that region to preserve order and relieve distress.

(Signed) JULIAN PAUNCEFOTE.

Washington, April 20, 1898.

No. 92.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received May 9.)

(No. 139.)

My Lord,

Washington, April 28, 1898.

I HAD the honour to report to your Lordship, in my despatch No. 119 of the 19th instant, that I had, on the receipt of your Lordship's telegram No. 69 of the 15th instant, communicated to the United States' Government the list of subjects proposed by the Dominion Government as proper to be dealt with at the preliminary discussion agreed to be held in Washington contemporaneously with that relating to the amendment of the Fur-seal Fishery Regulations. I informed the Governor-

General of my action, and at the same time I made inquiries as to the date upon which it would be convenient for the Canadian Delegates to proceed to Washington, mentioning that General Foster, who has been designated to represent the United States in the discussion, so far as it relates to the question of the Fishery Regulations, would be absent from the 29th instant until about the 10th of next month.

On the 22nd instant I received a telegram from the Earl of Aberdeen, suggesting a postponement of the discussion on the Fishery Regulation until after the return of General Foster to Washington. His Excellency added, however, that his Government "desired to press for the appointment of the General Commission to dispose of that and all other questions in controversy."

I thereupon ventured to point out to his Excellency that there had as yet been no agreement for a "General Commission," but only for a preliminary discussion, with a view to convening a formal Commission if a basis of arrangement should be arrived at. To this last communication I have as yet received no reply. But it is now announced in the press that the "Alaska Homestead and Railways Bill" (*vide* my despatch No. 53 of the 8th ultimo) has been altered in Conference of the two Houses, so as to provide for a Mixed Commission, appointed by the United States on the one hand, and by Great Britain and Canada on the other, to formulate a plan for the final settlement of the Atlantic fisheries question and of all other questions at issue between the Dominion and this country. I inclose an extract from to-day's "Washington Post," purporting to give an account of the new provision agreed upon in Conference.

This announcement would seem to explain Lord Aberdeen's reference to a General Commission, which I had at first supposed to be the result of a misunderstanding. The Canadian Government may probably have been in receipt of information in regard to the arrangement contemplated by the Conferences of the two Houses, and for that reason may desire to suspend action on the proposal, which I understood had been accepted by them, for a preliminary discussion on the subjects indicated in the list above referred to.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 92.

Extract from the "Washington Post" of April 28, 1898.

THE exclusive statement in the "Post" yesterday that in proposed legislation the friendly relations between the United States and Great Britain are to be formally announced to the world created considerable comment at the Capitol yesterday, and the fact was accepted with general favour.

As was shown yesterday, the friction which had been expected over the Klondyke Regulations has been removed, mainly on account of the friendliness shown to this country by Great Britain in the war with Spain, and the Conference Report on the Alaskan Bill, in which the matter has been satisfactorily adjusted, will be read with great interest. The Report will be made to the House to-day, and its most important clause relates to the establishment of a Commission to deal with questions in dispute between this country and Great Britain and Canada. It reads as follows:—

"The President of the United States is hereby authorized to appoint three Commissioners to meet a like number of Commissioners appointed on the part of the Government of Great Britain and the Dominion of Canada, the said Commissioners to formulate and consider a plan for the settlement and final determination of the North Atlantic fishery question, and the ultimate adjustment of any other question the solution of which would further promote the friendly relations now existing between the two countries, in respect of mutual interests in trade and commerce on the American Continent, the findings of the said Commissioners to be reported for appropriate action to the President of the United States."

No. 93.

Sir J. Pouncefote to the Marquess of Salisbury.—(Received May 10.)

(No. 66.)

(Telegraphic.) P.

Washington, May 10, 1898.

WITH reference to my despatch No. 122 of 22nd April, I have the honour to inform your Lordship that in a note just received from the Secretary of State, the United States' Government concur in the proposal for a provisional demarcation of the boundary in the region about the head of Lynn Canal on the general plan suggested in my Memorandum.

They agree "that the boundary-line shall follow the summit of the watershed surrounding the head of Lynn Canal."

They propose that in three localities at least on this watershed, that is to say, at the summit of each of the three passes, two Commissioners to be respectively appointed by either Government shall mark definite points by the erection of suitable monuments.

They desire, however, that it be understood distinctly that no rights under existing Treaties for the ultimate adjustment of the boundary-line in question shall be affected by this arrangement.

Shall I communicate the above to the Governor-General of Canada?

No. 94.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, May 10, 1898.

WITH reference to your letter of the 14th ultimo respecting the proposed discussion at Washington of questions pending between Canada and the United States, I am directed by the Marquess of Salisbury to transmit to you a copy of a despatch from Her Majesty's Ambassador at Washington with regard to a proposal for a Mixed Commission for the adjustment of all such questions.*

A telegram has been received from Sir J. Pouncefote, dated the 8th instant, in which he states that the provision in the Alaska Bill for a Mixed Commission was adopted in the Conferences between the two Houses of Congress, but was subsequently held to be *ultra vires*, being a new subject not previously discussed in Congress. The clause has consequently been abandoned and another has been substituted granting bonding privileges at all Alaskan ports on condition of reciprocity being granted by the Canadian Government.

I am, &c.

(Signed) F. H. VILLIERS.

No. 95.

Sir J. Pouncefote to the Marquess of Salisbury.—(Received May 12.)

(No. 141.)

My Lord,

Washington, May 2, 1898.

WITH reference to my despatch No. 112 of the 15th instant, with which I transmitted copy of a note from the United States' Government inquiring whether it was the purpose of the Canadian Government to establish a custom-house at or near Glenora, with authority to issue miners' certificates, I have the honour to inclose copy of a Minute of the Canadian Privy Council (communicated to me by the Governor-General), stating that a Canadian Customs office has been established on the Stikine River, and that the Customs officer has been authorized to issue miners' certificates.

I have furnished the United States' Government with a copy of the Minute.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 95.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 20th April, 1898.

THE Committee of the Privy Council have had under consideration a despatch, hereto attached, from Her Majesty's Ambassador to the United States, transmitting a copy of a note from the United States' Secretary of State, inquiring whether it is the purpose of the Dominion Government to establish at or near Glenora (1) an officer authorized to issue miners' certificates, and (2) a Canadian custom-house.

The Minister of the Interior, to whom the said despatch and inclosure were referred, reports that a Canadian Customs office has been established on the Stikine River, and that the Customs officer has been authorized to issue miners' certificates.

The Committee advise that your Excellency be moved to forward a certified copy of this Minute to Her Majesty's Ambassador to the United States, for the information of the United States' Secretary of State.

All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

No. 96.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received May 12.)

(No. 143.)

My Lord,

Washington, May 2, 1898.

WITH reference to my despatch No. 125 of the 26th ultimo, in which was inclosed copy of a Minute of the Canadian Privy Council signifying that miners' certificates can now be procured at the Customs ports on the Skagway and Dyea routes to the Yukon district, I have the honour to transmit to your Lordship herewith copy of a note from the Acting Secretary of State of the United States, expressing the gratification of his Government at the receipt of this information.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 96.

Mr. Moore to Sir J. Pauncefote.

Excellency,

Department of State, Washington, April 28, 1898.

REFERRING to previous correspondence relative to the desired modification of the Canadian Regulations for the issue of miners' certificates in the north-west territory, I have the honour to acknowledge the receipt of your note of the 26th instant, which contains the gratifying intelligence that miners' certificates can now be procured at the Customs ports on the Skagway and Dyea routes to the Yukon district.

In this connection I beg to say that the Department has called the attention of the Secretary of the Treasury to the complaint of the Canadian Government in regard to the alleged delay that has occurred in bringing into force at Skagway and Dyea the United States' Bonding Regulations of the 2nd February last.

I have, &c.

(Signed) J. B. MOORE,
Acting Secretary.

No. 97.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, May 12, 1898.

WITH reference to my letter of the 14th April respecting the proposal for a provisional arrangement with regard to a portion of the Alaska boundary, I am directed by the Marquess of Salisbury to transmit to you a copy of a despatch from Her Majesty's Ambassador at Washington,* inclosing a copy of the Memorandum which he handed to the United States' Secretary of State on that subject.

Sir J. Pauncefote has since reported, in a telegram dated the 10th instant, that he has received a note from the United States' Government agreeing to the temporary demarcation of the boundary in the region about the head of the Lynn Canal on the general plan suggested in his Memorandum, viz., that the line should follow the summit of the watershed surrounding the head of the canal.

The United States' Government propose that two Commissioners should be appointed, one by each Government, in order to erect suitable monuments marking definite points on at least three localities on the watershed, viz., at the summit of each of the three passes. They desire, however, that it should be distinctly understood that this arrangement does not affect the rights under existing Treaties for the ultimate adjustment of the boundary-line.

Sir J. Pauncefote asks whether he may inform the Governor-General of Canada of the communication from the United States' Government.

Lord Salisbury presumes that Mr. Chamberlain would wish this to be done at once, and I am to suggest that Sir J. Pauncefote should also be instructed to inquire what steps the Canadian Government propose to take to carry out the delimitation.

I am, &c.

(Signed) F. H. VILLIERS.

No. 98.

Colonial Office to Foreign Office.—(Received May 13.)

(Confidential.)

Sir,

Downing Street, May 13, 1898.

IN reply to your Confidential letter of the 12th instant respecting the proposed provisional arrangement with regard to a portion of the Alaska boundary, I am directed by Mr. Secretary Chamberlain to request you to inform the Marquess of Salisbury that he concurs in the proposal to instruct Her Majesty's Ambassador at Washington to communicate to the Governor-General of Canada the note on this subject which he has received from the United States' Government, and to inquire what steps the Dominion Government propose to take with a view to carrying out the provisional delimitation.

I am, &c.

(Signed) H. BERTRAM COX.

No. 99.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received May 14.)

(No. 153.)

My Lord,

Washington, May 6, 1898.

IN continuation of my despatch No. 139 of the 28th ultimo, I have the honour to inform your Lordship that the Conference Report on the Alaska Homesteads, &c., Bill, recommending the insertion of a provision for the appointment of a Mixed Commission on the various questions at issue between Canada and the United States, was called up in the House of Representatives on the 2nd instant. Mr. Dingley (Chairman of the Ways and Means Committee) objected to the new provision on the ground that it was

not wise to intrust to a single Commission the consideration of the numerous and quite unconnected questions involved, and that the reference, which included matters connected with the trade relations between the two countries, might result in impairing the general scheme of the import tariff. He suggested the point of order that the Report introduced new matter which had not been in controversy between the two branches of Congress. The House accordingly rejected the Report, and new conferees were appointed. I inclose an extract from the "Congressional Record," giving an account of the proceedings.*

The Report of the new Conference was adopted by the Senate yesterday. Your Lordship will observe, from the accompanying extract from the "Congressional Record," giving the text of the Report,* that the provision relating to the appointment of a Mixed Commission is struck out, and that bonding privileges are accorded at all Alaskan ports in respect of goods in transit to Canadian territory, providing that corresponding privileges are granted by the Dominion Government.

The provision of the first Conference Report, granting to Canadian citizens the same mining privileges in Alaska as are enjoyed by United States citizens in British Columbia and North-West Territory, is retained. (Section 13.)

The new Report has not yet been considered by the House. I inclose, for convenience of reference, the text of the Bill as originally adopted by the Senate, with amendments.* The changes introduced by the second Conference Report in the last paragraph are indicated in red ink.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 100.

Colonial Office to Foreign Office.—(Received May 14.)

Sir,

Downing Street, May 13, 1898.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 5th instant, transmitting copy of a correspondence with the Law Officers of the Crown respecting the rights of free navigation by British vessels of the Stikine and other rivers which enter the Pacific Ocean through United States' territory, and the right of British subjects to tranship goods at Wrangel.

The Governor-General of Canada has been informed, confidentially, of the purport of the Law Officers' Report, in a despatch of which a copy is inclosed, and Mr. Chamberlain presumes that it will be communicated to Her Majesty's Ambassador at Washington.

I am to take this opportunity to inquire whether the Marquess of Salisbury has any information as to the progress of the negotiations for the appointment of a Joint International Commission.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure in No. 100.

Mr. Chamberlain to the Earl of Aberdeen.

(Confidential.)

My Lord,

Downing Street, May 13, 1898.

I HAD the honour to inform you in my telegram of the 2nd ultimo respecting the Alaska Railway Bill, then before the United States' Senate, that Her Majesty's Government were consulting the Law Officers of the Crown as to whether the right of free navigation of the Stikine River carries with it the right of transhipment at Port Wrangel.

2. The Law Officers were asked to state whether, in virtue of the Treaty of 1825 with Russia, as revived by the Treaty of 1859, Her Majesty's Government can still claim the right of navigating freely, without any hindrance whatever, all the rivers and streams which in their course towards the Pacific Ocean may cross the line of demarcation upon the strip of coast described in Article III of the former Treaty, and also whether the rights of the United Kingdom under Article XXVI of the Treaty of

* Not printed.

Washington, in regard to the free navigation of the Stikine, include the right of transshipment at Wrangel.

3. The Law Officers have now reported that, in their opinion, the rights conferred by the Treaty of 1825 were not affected by the cession of Alaska to the United States, inasmuch as Russia could cede only what she had, but that the terms of Article XXVI of the Treaty of 1871 make it difficult for Her Majesty's Government to base their claim to tranship goods at Wrangel upon rights given to Great Britain in the River Stikine by virtue of the Treaty of 1825.

4. They consider, however, that it is not material whether any right can be claimed under the Treaty of 1825, inasmuch as the XXVIth Article of the Treaty of 1871 confers on Her Majesty's subjects the right of navigating the Stikine for commercial purposes, and the right of transshipment at Wrangel is an incident to the right of navigation without which it would be useless.

5. Free navigation, including transshipment, being thus a matter of right, they hold that while the United States can frame Regulations reasonably regulating the exercise of the right of free navigation, they cannot impose any such conditions as are contained in the Alaska Railway Bill recently before Congress.

6. I shall be glad if you will confidentially inform your Ministers accordingly.

I have, &c.

(Signed) J. CHAMBERLAIN.

No. 101.

The Marquess of Salisbury to Sir J. Pouncefote.

(No. 102.)

(Telegraphic.) P.

Foreign Office, May 14, 1898, 2.15 P.M.

WITH reference to your telegram No. 66 of 10th May: Alaska boundary.

Communicate reply of United States' Government to Governor-General of Canada, and inquire at the same time what steps to carry out the delimitation it is proposed to take.

No. 102.

Sir J. Pouncefote to the Marquess of Salisbury.—(Received May 20.)

(No. 159.)

My Lord,

Washington, May 10, 1898.

WITH reference to my despatch No. 122 of the 22nd ultimo, and to my telegram No. 66 of this day's date, I have the honour to transmit herewith copy of a note from the United States' Secretary of State informing me that the United States' Government consent to the temporary demarcation of the boundary between Alaska and the British possessions in the region about the head of Lynn Canal on the general plan, suggested in my Memorandum of the 18th ultimo, copy of which formed the inclosure in my despatch No. 122.

The United States' Government propose that landmarks to define the provisional boundary should be erected at the three passes by two Commissioners to be appointed, one on each side.

Mr. Day adds that, in consenting to the temporary marking of the boundary-line in the method indicated, the United States' Government desire it to be distinctly understood, on the part of both Governments, that the arrangement is not to be construed as affecting in any manner rights under existing Treaties for the ultimate adjustment of the boundary-line in question.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 102.

Mr. Day to Sir J. Pouncefote.

Excellency,

Department of State, Washington, May 9, 1898.

REFERRING to your Memorandum of the 18th ultimo, regarding the marking of the boundary-line between Alaska and the British possessions, I have the honour to inform you that this Government consents to the temporary demarcation of

this boundary in the region about the head of Lynn Canal on the general plan suggested in your Memorandum, namely, that the boundary-line shall follow the summit of the watershed surrounding the head of Lynn Canal.

To accomplish this it is proposed that in at least three localities on this watershed, viz., at the summit of White Pass, at the summit of Chilcoot Pass, and at the summit of Chilkat Pass, suitable monuments be placed to mark definite points in the boundary thus temporarily defined. It is suggested that these monuments be placed by two Commissioners, one chosen on the part of the United States and the other on the part of Her Majesty's Government.

In consenting to the temporary marking of the boundary-line in the method just indicated, this Government desires it to be distinctly understood, on the part of both Governments, that this arrangement is not to be construed as affecting in any manner rights under existing Treaties for the ultimate consideration and establishment of the boundary-line in question.

I have, &c.
(Signed) W. R. DAY.

No. 103.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received May 23.)

(No. 163.)

My Lord,

Washington, May 13, 1898.

WITH reference to your Lordship's telegram No. 16 of the 2nd March last, and to subsequent correspondence relative to the concession of transshipment and bonding privileges at Fort Wrangel in respect of merchandize shipped to Canadian territory via the Stikeen River, I have the honour to transmit to your Lordship herewith copies of a Treasury Circular issued on the 9th instant, embodying Regulations for the navigation of the Stikeen River.*

These Regulations are practically identical with those governing the navigation of the Yukon and Porcupine, copies of which accompanied my despatch No. 22, Commercial, of the 11th February last, and the bonding and transshipment privileges now conceded at Wrangel are similar to those hitherto enjoyed at St. Michael.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 104.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received May 30.)

(No. 176.)

My Lord,

Washington, May 19, 1898.

WITH reference to my despatch No. 153 of the 6th instant, in which I had the honour to inform your Lordship that the provision for the Mixed Commission for a general settlement of Canadian questions, had been dropped from the Bill extending the homestead laws, and providing for rights of way, &c., in Alaska, I have now the honour to transmit to your Lordship the Act as approved, and to call your Lordship's attention to sections 13 and 14, which confirm the authority of the Secretaries of the Interior, and of the Treasury to grant respectively, on conditions of reciprocity, mining and bonding privileges in Alaska to Canadian citizens.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 104.

Extract from "An Act Extending the Homestead Laws, and providing for Right of Way for Railroads in the District of Alaska, and for other purposes."

SECTION 13. That native born citizens of the Dominion of Canada shall be accorded in said district of Alaska the same mining rights and privileges accorded to citizens of the United States in British Columbia and the north-west territory by the laws of the Dominion of Canada or the local laws, rules, and regulations; but no greater rights shall be thus accorded than citizens of the United States or persons who have declared their intention to become such, may enjoy in said District of Alaska; and the Secretary of the Interior shall from time to time promulgate and enforce rules and regulations to carry this provision into effect.

Sect. 14. That under rules and regulations to be prescribed by the Secretary of the Treasury, the privilege of entering goods, wares, and merchandise in bond, or of placing them in bonded warehouses at any of the ports in the district of Alaska, and of withdrawing the same for exportation to any place in British Columbia, or the north-west territory, without payment of duty, is hereby granted to the Government of the Dominion of Canada, and its citizens or citizens of the United States, and to persons who have declared their intention to become such whenever, and so long as it shall appear to the satisfaction of the President of the United States, who shall ascertain and declare the fact by proclamation, that corresponding privileges have been, and are being granted by the Government of the Dominion of Canada in respect of goods, wares, and merchandise passing through the territory of the Dominion of Canada to any point in the District of Alaska from any point in said district.

Approved, May 14, 1898.

No. 105.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received June 6.)

(No. 180.)

My Lord,

Washington, May 24, 1898.

WITH reference to my despatch No. 99 of the 8th ultimo, to the effect that the United States' Government had applied to the Dominion Government to permit the passage of an expedition from Pyramid Harbour to Bell Isle on the Yukon viâ the Dalton Trail, in the place of the abandoned relief expedition to Dawson, I have now the honour to transmit to your Lordship copy of an approved Minute of the Canadian Privy Council granting the required permission.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 105.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 16th May, 1898.

THE Committee of the Privy Council have had under consideration a despatch, hereto annexed, dated the 8th April, 1898, from Her Majesty's Ambassador to the United States, in which it is stated that the United States' Acting Secretary of State, Mr. Day, has informed Her Majesty's Ambassador that the United States' Alaska Relief Expedition has been abandoned, and that it has been decided to utilize facilities provided for the said expedition in making exploration surveys, &c., in the territory west of the 141st meridian.

The Minister of the Interior, to whom the said despatch was referred, observes that to that end the request is made that permission may be granted for the passage of one exploration party from the vicinity of Pyramid Harbour to Bell Isle on the Yukon by the Dalton Trail and Dawson City, and with a view to its co-operation with two parties which it is desired to send into the interior from the coast, to which request he sees no objection, and recommends that permission be granted accordingly.

The Committee advise that your Excellency be moved to transmit a certified copy of this Minute to Her Majesty's Ambassador to the United States.

All of which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

No. 106.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received June 23.)

(No. 204.)

My Lord,

Washington, June 12, 1898.

I HAVE the honour to transmit herewith copies of Regulations which have been issued by the United States' Secretary of the Treasury concerning the navigation of the Yukon and Porcupine Rivers between Dawson and Rampart.

I have furnished copies of the inclosed Regulations to the Governor-General of Canada.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 106.

Navigation of the Yukon and Porcupine Rivers between Dawson and Rampart.

Treasury Department, Office of the Secretary,

To Collectors of Customs and others :

Washington, D.C., June 6, 1898.

THE attention of Collectors of Customs and others is directed to the following Regulations concerning the navigation of the Yukon and Porcupine Rivers between Dawson and Rampart :—

1. A vessel from Dawson or Rampart, and destined by way of the Yukon and Porcupine Rivers through Alaska for another place in the North-west Territory, shall report at the sub-port nearest the point at which such vessel shall enter the waters of the United States, there pay tonnage dues and other legal charges, and enter as prescribed by section 3,109 of the Revised Statutes, as amended by the Act approved 17th February, 1898.

2. The Deputy-Collector of Customs at such sub-port shall then issue a special permit for such vessel to proceed in compliance with the provisions of the Act of 17th February, 1898, to the sub-port nearest to the point at which it is about to depart from the waters of the United States.

3. Such vessel shall come to and report at the sub-port nearest the point at which it is about to depart from the waters of the United States, and upon satisfying the Deputy-Collector of Customs that it has complied with the Laws and Regulations may clear to its destination.

4. These Regulations shall not be construed to deprive an American vessel of any of the privileges of the coasting trade to which it is entitled by law, and shall be deemed supplementary to Department Circulars, No. 23, Division of Customs, and No. 24, Bureau of Navigation, dated 2nd February, 1898.

5. Until other sub-ports have been established on the Porcupine River and on the Upper Yukon, the report subsequent to entry into the waters of the United States, and prior to departure therefrom, prescribed above, may both be made at Circle city. Such sub-ports will be established, however, as soon as practicable.

Act of 17th February, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that no merchandize shall be transported by water under penalty of forfeiture thereof from one port of the United States to another port of the United States, either directly or via a foreign port, or for any part of the voyage, in any other vessel than a vessel of the United States. But this section shall not be construed to prohibit the sailing of any foreign vessel from one to another port of the

United States: Provided, that no merchandize other than that imported in such vessel from some foreign port which shall not have been unladen shall be carried from one port or place in the United States to another.

Section 2. That section 8 of "An Act to abolish certain fees for official services to American vessels, and to amend the laws relating to shipping commissioners, seamen, owners of vessels, and for other purposes," approved 19th June, 1886, is hereby amended to read:—

"Section 8. No foreign vessel shall transport passengers between ports or places in the United States, either directly or by way of a foreign port, under a penalty of 200 dollars for each passenger so transported and landed."

Section 3. Whenever merchandize is imported into the United States by sea for immediate exportation to a foreign port by sea, or by a river, the right to ascend or descend, which for the purposes of commerce is secured by Treaty to the citizens of the United States, and the subjects of a foreign Power, the Secretary of the Treasury is hereby authorized to prescribe Regulations for the transshipment and transportation of such merchandize.

Section 4. That section 3,109 of the Revised Statutes is hereby amended to read:—

"Section 3,109. The master of any foreign vessel laden or in ballast arriving, whether by sea or otherwise, in the waters of the United States from any foreign territory adjacent to the northern, north-eastern, or north-western frontiers of the United States, shall report at the office of any Collector or Deputy-Collector of the Customs, which shall be nearest to the point at which such vessel may enter such waters, and such vessel shall not transfer her cargo or passengers to another vessel, or proceed farther inland, either to unlade or take in cargo, without a special permit from such Collector or Deputy-Collector, issued under and in accordance with such general or special Regulations as the Secretary of the Treasury may, in his discretion, from time to time prescribe. This section shall also apply to trade with or through Alaska. For any violation of this section such vessel shall be seized and forfeited."

Section 5. This Act shall take effect one month after its passage.

(Signed)

O. L. SPAULDING,

Assistant Secretary.

No. 107.

Colonial Office to Foreign Office.—(Received July 6.)

Sir,

Downing Street, July 5, 1898.

I AM directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, copy of a despatch from the Governor-General of Canada, covering copy of an approved Minute of the Dominion Privy Council, in which his Ministers request that facilities may be afforded to Mr. W. F. King, whom they have deputed to search in London and St. Petersburg for maps and documents relating to the Convention entered into by Great Britain with Russia in 1825, with a view to the establishment of the Canadian Case in connection with the Alaska Boundary question.

Mr. Chamberlain has no doubt that the Foreign Office will render Mr. King every assistance in this matter, and that if he should find it necessary to proceed to St. Petersburg, Lord Salisbury will instruct Her Majesty's Ambassador there to furnish him with any facilities he properly can.

I am to point out that the subject of the second paragraph of Lord Aberdeen's despatch and his Minister's Minute appears to have been already disposed of, at least in part, by the correspondence which terminated with your letter of the 12th May last.

I am, &c.

(Signed)

H. BERTRAM COX.

Inclosure 1 in No. 107.

The Earl of Aberdeen to Mr. Chamberlain.

Sir,

Government House, Ottawa, Canada, June 8, 1898.

I HAVE the honour to transmit to you copy of an approved Minute of the Privy Council stating that in order that the Government of Canada may be in a position to properly support their case with respect to the boundary-line between Canada and Alaska, it is requisite that a thorough search be made both in London and St. Petersburg for maps and documents relating to the Convention entered into between Great Britain and Russia in 1825, and that Mr. W. F. King, Commissioner under the Convention of 1892, be deputed to proceed at once to London and St. Petersburg to procure the documents required.

It will be observed that copies of the official documents and maps, or of such of them as relate to the surveys made and monuments planted by the several Boundary Commissions along the southern boundary of Canada, are needed for the purpose of dealing with international boundary questions, and that this matter can be attended to by Mr. King while he is in London.

My Ministers request that facilities may be afforded Mr. King for prosecuting his researches.

I have, &c.
(Signed) ABERDEEN.

Inclosure 2 in No. 107.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 3rd June, 1898.

ON a Report, dated the 28th May, 1898, from the Minister of the Interior, stating that, in order that the Government of Canada may be in a position to properly support their case with respect to the boundary-line between Canada and Alaska, it is, in his judgment, requisite that a thorough search be made both in London and St. Petersburg for maps and documents relating to the Convention entered into between Great Britain and Russia in 1825, and that Mr. W. F. King, Commissioner under the Convention of 1892, being fully conversant with this boundary question in all its phases, is the best person to make this search.

The Minister further states that copies of the official documents and maps, or of such of them as relate to the surveys made and monuments planted by the several Boundary Commissions along the southern boundary of Canada, are needed for the purpose of dealing with international boundary questions, and that this matter can profitably be attended to by Mr. King while he is in London on the business previously mentioned.

The Minister therefore recommends that Mr. King be sent at once to London and St. Petersburg to procure the documents required, with authority to employ such clerical assistance as may be necessary.

The Committee concurring, advise that your Excellency be moved to inform Her Majesty's Government of the object of Mr. King's mission, with a request that he be afforded facilities for prosecuting his researches.

All which is respectfully submitted for your Excellency's approval.

(Signed) H. G. LA MOTHE,
Assistant Clerk of the Privy Council.

No. 108.

Colonial Office to Foreign Office.—(Received July 7.)

Sir,

Downing Street, July 6, 1898.

WITH reference to the letter from this Department of the 5th instant, I am directed by Mr. Secretary Chamberlain to request you to inform the Marquess of Salisbury that Mr. W. F. King has not been able to undertake the work of searching

for maps and documents relating to the Convention of 1825 between Great Britain and Russia, and that the Canadian Government have deputed M. Otto J. Klotz, of the Department of the Interior, to act in his stead.

M. Klotz is now in London, and Mr. Chamberlain will be glad if the Foreign Office will afford him the facilities which the Dominion Government requested for Mr. King.

I am, &c.
(Signed) H. BERTRAM COX.

No. 109.

Foreign Office to Colonial Office.

Sir,

Foreign Office, July 11, 1898.

WITH reference to your letters of the 5th and 7th instant respecting the researches which are being made on behalf of the Canadian Government in connection with the Alaska boundary question, I am directed by the Marquess of Salisbury to state that his Lordship will be happy to send instructions to Her Majesty's Ambassador at St. Petersburg to render every assistance to M. Klotz as soon as he is informed of the date on which that gentleman proposes to proceed to Russia.

I am, &c.
(Signed) F. H. VILLIERS.

No. 110.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received July 14.)

(No. 91.)

(Telegraphic.) P.

New London, Connecticut, July 14, 1898.

WITH reference to your Lordship's telegram No. 102 of the 13th May last, I have the honour to report that I have received a reply from the Governor-General of Canada on the subject of the provisional delimitation of the Alaska Boundary, inclosing a Minute of the Canadian Privy Council of the 27th June, in which objection is taken to the terms in which the United States' Government have accepted the Canadian proposal. I communicated to your Lordship in my despatch No. 159 of the 10th May, the note of the United States' Government accepting that proposal.

Lord Aberdeen has forwarded a copy of the Minute to the Colonial Office. If the two Governments should be so disposed the difference might be referred to the Joint Commission.

I shall await your Lordship's instructions before taking further action.

No. 111.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, July 15, 1898.

WITH reference to my letter of the 3rd June, inclosing a copy of a despatch from Her Majesty's Ambassador at Washington on the subject of the proposed demarcation of a portion of the Alaska boundary, I am directed by the Marquess of Salisbury to state that his Excellency has asked, by telegraph, for further instructions in view of the Minute of the Canadian Privy Council, objecting to the terms in which the proposal has been accepted by the United States' Government.

Sir Julian Pauncefote states that a copy of that Minute, which is dated the 27th ultimo, has been forwarded to Mr. Secretary Chamberlain, and his Excellency suggests that the two Governments may, perhaps, be disposed to refer the difference to the Joint Commission.

I am to inquire what answer should be returned to Sir Julian's telegram.

I am, &c.
(Signed) F. H. VILLIERS.

No. 112.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 124.)

(Telegraphic.) P.

Foreign Office, July 19, 1898.

ALASKA boundary.

Referring to your telegram No. 9 of the 14th July.

Propose to United States' Government that the question of fixing a provisional boundary should be left to the Joint Commission, and that the officers on both sides at the head of Lynn Canal should be instructed not to advance beyond the positions they now hold.

No. 113.

The Marquess of Salisbury to Mr. Goschen.

(No. 156.)

Sir,

Foreign Office, July 22, 1898.

I HAVE to inform you that Mr. Otto J. Klotz, a member of the Canadian Department of the Interior, has been deputed by the Government of the Dominion to proceed to St. Petersburg to search for maps and documents relating to the Convention between Great Britain and Russia of 1825, with a view to the establishment of the Canadian Case in connection with the Alaska boundary question. Mr. Klotz leaves England to-morrow for St. Petersburg, and you should endeavour to obtain facilities to enable him to prosecute the necessary researches, and generally render him all such assistance as you properly can for the successful accomplishment of his mission.

I am, &c.

(Signed) SALISBURY.

No. 114.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received July 23.)

(No. 225.)

My Lord,

New London, Connecticut, July 12, 1898.

I HAVE the honour to transmit to your Lordship herewith copy of a Minute of the Canadian Privy Council on the subject of reciprocal bonding privileges under recent Act of Congress, relating to Alaska, of which a copy was transmitted to your Lordship in my despatch No. 176 of the 19th May last.

In accordance with a desire of his Excellency the Governor-General of Canada, I have notified the United States' Government that reciprocal bonding privileges will be granted by the Canadian Government; and that, as I have been requested to take steps to secure the adoption of Regulations which shall be mutually satisfactory, I have asked to be favoured with the views of the United States' Government on the subject.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 114.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 27th June, 1898.

THE Committee of the Privy Council have had under consideration a Colonial Office despatch, hereto annexed, dated the 25th May last, containing copy of a letter from the Foreign Office, dated the 10th May last, to the Colonial Office, inclosing copy of a despatch from Her Majesty's Ambassador to the United States, referring amongst other things to the contents of the Bill lately passed by the Congress of the United States granting bonding privileges at all Alaskan ports to British subjects, on condition

of reciprocal bonding privileges being granted to citizens of the United States in respect of the passage of goods from one point of Alaska to another point in Alaska.

The Committee, on the recommendation of the Minister of the Interior, to whom the despatch in question was referred, advise that your Excellency be moved to forward a certified copy of this Minute to Her Majesty's Ambassador to the United States, with a view to notifying the Government of the United States that reciprocal bonding privileges will be granted by the Canadian Government, and to secure the adoption of the Regulations which will be mutually satisfactory.

All of which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE,

Clerk of the Privy Council.

No. 115.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received August 1.)

(No. 235.)

My Lord,

New London, Connecticut, July 20, 1898.

WITH reference to my despatch No. 159 of the 10th May last, transmitting a note of the 9th of that month from the United States' Secretary of State concerning the temporary demarcation of the boundary between Alaska and the British possessions in the region about the head of Lynn Canal, I have the honour to forward herewith copies—

1. Of an approved Minute of the Canadian Privy Council of the 27th June last, embodying the observations of the Canadian Minister of the Interior, to whom the *pro-memorid* which I handed to the Department of State on the 18th April last (see my despatch No. 122 of the 22nd April) had been referred.

2. Of an approved Report of a Committee of the Privy Council referred to in the above Minute.

I have now the honour to inclose copy of a note which I have this day addressed to the Secretary of State, in accordance with the instructions contained in your Lordship's telegram No. 124 of the 19th instant, proposing to the United States' Government that the United States' and Canadian officers respectively stationed at the head of the Lynn Canal should be instructed not to advance beyond the positions at present occupied by them, and, further, that the question of the provisional boundary-line should be reserved for adjustment by the Joint Commission.

I have, &c.

(Signed)

JULIAN PAUNCEFOTE.

Inclosure 1 in No. 115.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 27th June, 1898.

THE Committee of the Privy Council have had under consideration a despatch, hereto attached, dated the 14th May, 1898, from his Excellency Her Majesty's Ambassador at Washington, transmitting herewith a copy of a *pro-memorid* which, under instructions from the Marquess of Salisbury, he delivered to the United States' Secretary of State on the 18th April, 1898, respecting a provisional delimitation of the Alaska boundary in the region of the Lynn Canal, and copy of a note which he received from Mr. William R. Day in reply.

The Minister of the Interior, to whom the matter was referred, submits that the proposition of the United States' Government, as stated therein, differs from the proposition set forth on behalf of Canada by order of your Excellency on the 28th March, 1898, in certain important particulars. This proposition was that, pending the settlement of the boundary question, and as to the territory traversed by the mountain passes which lead from Taiya Inlet, each Government shall remain in possession of the territory now actually occupied by it, and that, for this purpose, a line drawn at the summit of the passes, or the water-shed between the rivers flowing into Taiya Inlet, and the tributaries flowing into the Yukon River, would be satisfactory to Canada.

The Minister submits that it is to be observed that the United States' proposition,

as communicated by Secretary Day to Sir Julian Pauncefote, substitutes "Lynn Canal" for Taiya Inlet." Accordingly, Secretary Day, while acceding to the Canadian proposition to place the provisional line at the Taiya summit, proposes to apply the principle of the watershed range between rivers flowing into Lynn Canal and rivers flowing into the Yukon River to the route commonly called the Dalton Trail, which leads from the head of Chilkat Inlet. The effect of this will be to place the boundary-line much more than 10 marine leagues from the nearest salt water, whereas, under the terms of the Convention between Great Britain and Russia of 1825, and of that between the United States and Russia of 1867, the United States, even if it be admitted that the coast spoken of in those Conventions is the shore-line or inlets (a claim which, however, is not admitted by Canada), can have no claim to any territory beyond 10 leagues from salt water. Moreover, Canada is at the present time in effective possession of a portion of the territory on the seaward side of the summit of the Chilkat passes by a mounted police post and Customs-house on a tributary of the Chilkat River.

The Minister suggests as a suitable and natural unmistakable feature for a provisional boundary on the Chilkat route, for the purpose of avoiding conflicts of jurisdiction, but without prejudice to the rights of either party when the boundary question is finally determined, the junction of the Klahula (otherwise called Klehnini) River with the Chilkat River.

The Minister states that as regards the marking of this point, as well as of the summits of the Chilkoot and White Passes, it does not appear that it is necessary that Commissioners should be appointed. The officers of the Governments on the spot, either the Customs officers, or the military or mounted police officers, could arrange the matter, planting posts if necessary, in as satisfactory a manner as could Commissioners specially appointed.

The Committee advise that your Excellency be moved to forward a certified copy of this Minute to Her Majesty's Secretary of State for the Colonies, and also to Her Majesty's Ambassador at Washington.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. McGEE,

Clerk of the Privy Council.

Inclosure 2 in No. 115.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 23rd March, 1898.

THE Committee of the Privy Council have had under consideration a despatch, hereto annexed, dated the 8th March, 1898, from the Right Honourable Mr. Chamberlain, marked Secret, in which the proposition is made that Commissioners should be appointed under Article I of the Convention of the 22nd July, 1892, to consider and establish the boundary-line between Alaska and British Columbia, the Commissioners to be instructed in the first instance to define a provisional boundary in the Lynn Canal region.

The Minister of the Interior, to whom the despatch was referred, submits that, in his judgment, such action would be open to grave objection for the following reasons:—

1. Article I of the Convention of 1892 contemplates a permanent and final, not a provisional, delimitation of the boundary-line. The provisional line when marked out would acquire no validity from the fact that it had been marked out under the Convention; an agreement between the Governments would be necessary to make it valid. Nor would it have moral force towards securing such agreement as would a permanent line agreed upon by Commissioners acting under the same provisions of the Convention. An agreement between Her Majesty's Ambassador at Washington and the Government of the United States to adopt a temporary line for the purposes of administration would secure all that is necessary at the present juncture to avoid conflict of jurisdiction.

2. The assent of the Government of Canada to an arrangement whereby Commissioners, appointed under a Convention which purports to aim at establishing a permanent line in accordance with the boundary Treaties in regard to it, should establish a provisional line, might be construed into an admission on the part of Canada that the line described in those Treaties is inconsistent with the topographical features of the region and therefore impracticable. The Government of Canada, on the other

hand, has always held that it is quite practicable to survey and mark out the boundary in strict accordance with the Treaty description.

3. In order to make plain the fact that the description of the line in the Treaties is not inconsistent with the topographical features of the region, and to resolve existing differences of interpretation of the Treaties, it appears essential that the line be considered as a whole. The determination of a part of it in accordance with local topographic conditions may defeat this object.

The Committee, on the recommendation of the Minister of the Interior, advise that your Excellency be moved to inform the Right Honourable Her Majesty's Principal Secretary of State for the Colonies that the Government of Canada is unwilling, for the reasons stated, to agree to the determination of a provisional line under the Convention of 1892, but that this Government sees no objection to a provisional arrangement with the United States' Government, whereby, pending the settlement of the boundary question and as to the territory traversed by the mountain passes which lead from Taiya Inlet, each Government shall remain in possession of the territory now actually occupied by it, and that, for this purpose, a line drawn at the summit of the passes or the watershed between the rivers flowing into Taiya Inlet and the tributaries of the Yukon River, would be satisfactory to Canada.

All of which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE,

Clerk of the Privy Council.

Annex (A).

Mr. Chamberlain to the Earl of Aberdeen.

(Secret.)

March 8, 1898.

ALASKA boundary.

With reference to my telegram of the 24th ultimo, Sir Julian Pauncefote reports that Government of United States is anxious that the demarcation of the provisional boundary in locality indicated be proceeded with, without prejudice to the rights of either party as finally ascertained, but that a new Convention, which the Senate, as at present constituted, would certainly oppose, would be required by the proposed arbitration; they therefore suggest proceeding at once under Article I of the Convention of the 22nd July, 1892, and that two Commissioners, who should endeavour in the first place to agree on provisional line, as mentioned above, should be employed.

Imperial Government propose to agree, and they would be glad, if Canadian Government concur, if they would name a Commissioner at once.

(Signed) J. CHAMBERLAIN.

Inclosure 3 in No. 115.

Sir J. Pauncefote to Mr. Day.

Sir,

New London, Connecticut, July 20, 1898.

WITH reference to the proposal respecting the adoption of a provisional line of delimitation of the Alaska boundary, in the region of the Lynn Canal, without prejudice to the rights of either Government, I have the honour to inform you that I did not fail, immediately on receipt of your note of the 9th May last, to transmit a copy of it to the Governor-General of Canada, who has since been in communication with Her Majesty's Government on the subject.

It appears that the arrangement which the Dominion Government have had in contemplation is that, pending the settlement of the boundary question and as to the territory traversed by the mountain passes which lead from Taiya Inlet, each Government should remain in possession of the territory now actually occupied by it, and that, for this purpose, a line should be drawn at the summit of the passes or the watershed between the rivers flowing into Taiya Inlet and the tributaries of the Yukon River. This would be satisfactory to them.

They observe, however, that while your note above referred to places the provisional line at the Taiya summit, it proposes to apply the principle of the watershed range, between rivers flowing into the Lynn Canal and rivers flowing into the Yukon River,

to the route commonly called the Dalton trail, which leads from the head of Chilkat Inlet.

The effect of this would be to place the boundary-line much further inland than the Canadian Government consider reasonable under the circumstances. In view of this objection on the part of the Canadian Government, I have been instructed by the Marquess of Salisbury to propose to you, without going further into the merits of the case at present, that the United States' and Canadian officers respectively stationed at the head of the Lynn Canal should be directed not to advance beyond the positions at present occupied by them, and that the provisional boundary-line should be referred to the Joint Commission at Quebec for adjustment.

Hoping that the above suggestions will meet with the approval and concurrence of your Government, I have, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 116.

Acting Consul-General Moore to the Marquess of Salisbury.—(Received September 24.)

(No. 35.)

My Lord,

San Francisco, August 22, 1898.

I HAVE the honour to inform your Lordship that the American steamer "Humboldt" left this port on the 20th instant, bound for St. Michael, Alaska, with Battery A, of the Third United States' Artillery on board. The battery consists of 225 men, who are said to be thoroughly equipped for a long stay in the north. The soldiers are to be conveyed up the Yukon River, to man the various forts to which they have been detailed.

I have, &c.

(Signed) WELLESLEY MOORE.



Printed for the use of the Foreign Office. June 1900.

CONFIDENTIAL.

(7340.)

PART XI.

FURTHER CORRESPONDENCE

RESPECTING THE

BOUNDARY BETWEEN THE BRITISH POSSESSIONS IN
NORTH AMERICA

AND THE

TERRITORY OF ALASKA.

[For Correspondence from 1st January to 31st March, see Joint Commission Series.]

February to December 1899.

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22	Mr. Tower ..	124 Confidential	Apr. 28,	British Columbia legislation. Transmits letter from Lord Minto expressing conviction that Mining Laws would be disallowed if United States' Government consented to arbitration	19
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24	To Mr. Tower ..	70 Tel.	May 11,	Military post at Pyramid Harbour (see No. 20*). Express to Mr. Hay regret of Her Majesty's Government at contemplated establishment of, and hope that decision will be suspended for the present ..	20
25	Mr. Tower ..	135 Secret	4,	British Columbian Mining Laws and provisional boundary. Substance of conversation with Mr. Hay. Desirability of agreeing on a temporary <i>modus vivendi</i> . United States' Government would be prepared to agree to arbitration on whole frontier	20
26	Colonial Office ..	Secret	13,	Final settlement. Transmits telegram to Canadian Government suggesting arbitration on basis of Venezuelan Treaty, with modifications	21
27	To Mr. Choate	13,	Final settlement. Summary of conversation of 3rd May. Proposes to refer boundary dispute to arbitration on lines of Venezuelan Treaty	22

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29	„ „	.. Confidential	16,	Proposed arbitration. Transmits telegrams from Canadian Government objecting to suggested modifications of Venezuelan Treaty. Canada must have Pyramid Harbour in return for Dyea and Skagway ..	23
30	Mr. Tower	.. 47 Tel.	17,	United States' military post for Pyramid Harbour. Government have decided not to send for the present.. ..	24
31	To Mr. Tower	.. 71 Tel. Confidential	17,	Proposed arbitration. Suggest to United States' Government that Canada should have Pyramid Harbour in return for Dyea and Skagway.. ..	24
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39	To Mr. Tower	.. 119	20,	Proposed arbitration. Substance of conversation with Mr. Choate. United States' Government utterly unable to accept Pyramid Harbour proposition	29
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CONFIDENTIAL.

Further Correspondence respecting the Boundary between the
British Possessions in North America and the Territory
of Alaska.

PART XI.

No. 1.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received February 9.)

(No. 11.)

(Telegraphic.) P.

Washington, February 9, 1899.

IN reply to your Lordship's telegram No. 22 of the 2nd February, inquiring whether the Alaska boundary could be settled in the proposed Treaty, and any assurance obtained as to the Navigation Laws applicable to Cuba, Porto Rico, and the Philippine Islands, I regret to say that I feel convinced this Government would never consent to deal in that Treaty with any question but the Nicaragua Canal. If any concession is obtained, it will only be given separately, and in recognition of the friendliness of British policy, and must not appear in the Treaty, where it would arouse the violent opposition of the Extremists. It is all that the Government can do to maintain "the general principle" of the Clayton-Bulwer Treaty against them.

I have strongly urged upon the Secretary of State your Lordship's views as to the importance of removing at this juncture all causes which might bring the two countries into conflict. These are now practically reduced to the settlement of the Alaska boundary, particularly the delimitation of the Lynn Canal, for Canada agrees to waive the four limitations in Article I of the Treaty of 1818 in the general settlement. I understand that the American Commissioners fear that they would run the risk of being dislodged from Dyea and Skagway if the question were submitted to a foreign Umpire. They are, therefore, averse to arbitration, and I doubt if any agreement is possible.

Failing any other settlement, I think the best course would be to press the United States' Government to consent to arbitration under conditions. Such arbitration might be on the lines of Section 6 of the General Arbitration Treaty, with special provisos securing to Canada on the one hand access to the Lynn Canal in the event of the Award going against Great Britain, and on the other guaranteeing to the United States the retention of Skagway and Dyea, if the Award were in our favour.

I cannot hold out any hope of present concessions respecting the Navigation Laws. The most I can suggest is that the President might be induced to give an assurance of his intention to endeavour to obtain from Congress a declaration that it would be right, in consideration of the friendly attitude of Great Britain on the question of the Clayton-Bulwer Treaty, to place British shipping on the same footing as American shipping as far as concerns the transport trade between the United States and the territory recently acquired by them beyond the sea. Such an assurance might be recorded in our exchange of diplomatic notes.

Should your Lordship approve of the above views I shall be guided by them.

No. 2.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 22.)

(No. 27.)

(Telegraphic.) P.

Washington, March 22, 1899.

MY despatch No. 235 of the 20th July, 1898 : Canada-Alaska boundary.

United States' Government have addressed a note to me, proposing a provisional boundary in the region of the Lynn Canal, without prejudice to the claims of either Party, in the definite adjustment of the frontier. This provisional boundary is described as being "at the watershed on the summit of White and Chilkoot Passes, and at a point 30 miles from Pyramid Harbour, on the Chilkat Pass, and otherwise known as the Dalton Trail."

It is stipulated in this proposal that provisional boundary monuments are to be jointly erected, and that the respective outposts are not to be advanced.

No. 3.

Question asked in the House of Commons, March 23, 1899.

Mr. Hogan,—To ask the Under-Secretary of State for Foreign Affairs whether a *modus vivendi* has been arrived at in the matter of the Alaskan border pending a permanent settlement of the question :

And, whether any information has reached the Foreign Office concerning collisions arising out of this disputed border.

Answer.

The answer to both questions is in the negative.

[The Colonial Office have been consulted, and are of opinion that the answer should be confined to the above statement.]

No. 4.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, March 23, 1899.

I AM directed by the Marquess of Salisbury to transmit to you, for the information of the Secretary of State for the Colonies, a copy of a telegram which has been received from Her Majesty's Ambassador at Washington, giving the terms of a proposal put forward by the United States' Government for a provisional boundary in the region of the Lynn Canal.*

I am to request that the views of the Canadian Government with regard to this proposal may be obtained by telegraph.

A copy of the note addressed to Sir J. Pauncefote on the subject by the United States' Government has been forwarded by him to Ottawa, and a copy of the despatch referred to by His Excellency in his telegram is inclosed herewith for convenience of reference.†

I am, &c.

(Signed) F. H. VILLIERS.

No. 5.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received March 30.)

(No. 99.)

My Lord,

Washington, March 21, 1899.

WITH reference to previous correspondence on the subject of a *modus vivendi* to be observed on the Alaska boundary, I have the honour to report that, in consequence of certain rumours which have been published in the American press of a conflict having taken place between the Canadian and United States' prospectors on the Porcupine River, I have recently spoken to the United States' Secretary of State on the desirability of establishing a provisional boundary-line without prejudice to the rights of either Party, in the vicinity of the Lynn Canal, as was suggested previously to the meeting of the Joint High Commission.

Mr. Hay yesterday transmitted to me a definite proposal on the subject, contained in a note, a copy of which I have the honour to inclose herewith.

It appears to be highly desirable and advantageous that such an arrangement be arrived at as early as possible.

I have this day forwarded a copy of Mr. Hay's note to the Governor-General of Canada.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 5.

Mr. Hay to Sir J. Pauncefote.

Excellency,

Department of State, Washington, March 20, 1899.

RECALLING the recent interviews which I have had the honour to hold with you respecting the desirability of establishing a provisional boundary-line between the territorial possessions of the United States and Canada in the vicinity of Lynn Canal, and referring to the notes exchanged between this Department and your Embassy during the past year, to wit, your *pro-memorandum* of the 19th April, the note of Secretary Day of the 9th May, and your reply thereto of the 20th July, I feel warranted in submitting to you the following proposition:

It shall be agreed between the two Governments that the boundary-line between Canada and the territory of Alaska in the region about the head of Lynn Canal shall be provisionally fixed, without prejudice to the claims of either Party in the permanent adjustment of the international boundary, at the watershed on the summit of White and Chilkoot Passes, and at a point 30 marine miles from Pyramid Harbour on the Chilkat Pass and otherwise known as the Dalton Trail; and the two Governments further agree that the respective Customs outposts shall not be advanced beyond the points indicated. Steps shall be taken without delay to establish by international co-operation a provisional boundary monument at each of the three points herein established.

An acknowledgment from you accepting this understanding, which embodies the proposals made in your communications of last year, and which, it appears, had been virtually observed as to the passes above Lynn Canal since July of last year, would accomplish the desired result by exchange of notes.

I have, &c.

(Signed) JOHN HAY.

No. 6.

Colonial Office to Foreign Office.—(Received March 31.)

Sir,

Downing Street, March 30, 1899.

WITH reference to the letter from this Office of the 14th instant, I am directed by Mr. Secretary Chamberlain to transmit to you to be laid before the Marquess of Salisbury a paraphrase of a telegram from the Governor-General of Canada showing

the alteration desired by his Ministers in the text of the proviso to section 10 of the Civil Government of Alaska Bill.

Lord Salisbury will observe that this amendment carries out the suggestion made in the letter from this Office of the 28th ultimo, with the exception that the words "British subjects born or domiciled in Canada" are substituted for "native born citizens of the Dominion."

Mr. Chamberlain presumes that Her Majesty's Ambassador at Washington will be instructed to communicate the proposal of the Dominion Government to the United States' Secretary of State.

I am, &c.
(Signed) C. P. LUCAS.

Inclosure in No. 6.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

[Undated.]

ALASKA Government Bill, section 10. Your Confidential despatch of the 4th March, and your telegram of the 13th March. My Ministers recommend substituting the following words: "that British subjects, born or domiciled in Canada, shall be accorded in the said district of Alaska the same mining rights and privileges as are accorded to the citizens of the United States in such territory or territories as are administered directly by the Government of the said Dominion" for the words "that native-born citizens" to "rules and regulations" (inclusive) which should be struck out.

No. 7.

Colonial Office to Foreign Office.—(Received April 1.)

(Confidential.)

Sir,

Downing Street, April 1, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 23rd March, copy of two telegrams on the subject of the provisional boundary of Alaska, in the neighbourhood of the Lynn Canal.

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure 1 in No. 7.

Mr. Chamberlain to the Earl of Minto.

(Telegraphic.)

Downing Street, March 27, 1899, 6.40 P.M.

PAUNCEFOTE'S despatch as to provisional boundary in region of Lynn Canal. Telegraph views of your Ministers on proposals of United States.

Inclosure 2 in No. 7.

The Earl of Minto to Mr. Chamberlain.

(Telegraphic.)

[Undated.]

YOUR telegram of 27th March.

Referring to question of provisional boundary between Alaska and Canada, I send by next mail a Minute of the Council stating the views of my responsible advisers, the gist being that arrangements should be made for permanent delineation of boundary at the same time as provisional boundary is agreed to.

No. 8.

Sir J. Pouncefote to the Marquess of Salisbury.—(Received April 11.)

(No. 34.)

(Telegraphic.) P.

Washington, April 11, 1899.

MY despatch No. 99 of the 20th ultimo, respecting the provisional boundary proposed between Canada and Alaska.

Mr. Hay is anxious to have some reply. I understand that the Canadian Government have sent to your Lordship, through the Colonial Office, the Canadian Privy Council Minute of the 30th March, dealing with the boundary proposed by the United States.

May I communicate this Minute to the United States' Government?

No. 9.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, April 12, 1899.

WITH reference to my letter of the 8th instant, I am directed by the Marquess of Salisbury to transmit to you the decypher of a telegram from Her Majesty's Ambassador at Washington,* stating that the United States' Government are pressing for an answer to their proposal for the establishment of a provisional boundary-line between Canada and the territory of Alaska, in the neighbourhood of Lynn Canal.

Sir J. Pouncefote asks whether he may communicate to the United States' Secretary of State the Minute of the Canadian Privy Council of the 30th ultimo.

I am to inquire whether a copy of the Minute has yet been received by Her Majesty's Secretary of State for the Colonies, and, if so, what reply should be sent to Sir J. Pouncefote's telegram.

I am, &c.

(Signed) F. H. VILLIERS.

No. 10.

Sir J. Pouncefote to the Marquess of Salisbury.—(Received April 18.)

(No. 105.)

My Lord,

Washington, April 7, 1899.

I HAVE the honour to transmit herewith a copy of a note which I have received from the Secretary of State, inclosing a Petition to the President from citizens of the United States resident in the Atlin district of British Columbia, representing the hardship to their interests of recent mining legislation of that province.

I have forwarded a copy of this Petition to the Governor-General of Canada, and I have informed him of Mr. Hay's desire that it be submitted to the Dominion Government without raising thereby any issue as to the general effect of the legislation in question.

In connection with this subject, I would refer to your Lordship's telegram No. 46 of the 31st ultimo, and to previous correspondence respecting Section 10 of the Civil Government of Alaska Bill recently before Congress.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosurè 1 in No. 10.

Mr. Hay to Sir J. Pauncefote.

Excellency,

Department of State, Washington, April 3, 1899.

I TAKE the liberty to inclose herewith a copy of a letter of the Commissioner of the General Land Office of the United States and its accompanying paper, which is a Petition to the President of the United States by citizens of the United States resident in the Atlin district of British Columbia engaged in mining.

It will be seen that the petitioners complain that the recent Act of the Assembly of the Province of British Columbia as to mining works inflicts upon them great hardship and injustice.

I have thought that the Petition was of such a nature that you might deem it well, without thereby raising any issue as to the general effect of the Act in question, to submit the representations of the petitioners to the Government of the Dominion of Canada, in the hope that it might see such equities in their claims as to find a means of affording them some relief.

I have, &c.

(Signed) JOHN HAY.

Inclosure 2 in No. 10.

*Mr. B. Hermann to the Secretary of the Interior.**Department of the Interior, General Land Office,
Washington, D.C., March 15, 1899.*

Sir,

I HAVE the honour to acknowledge the receipt, by your reference, of a Petition signed by J. C. Wilber and four other citizens, who represent that they are a Committee representing 500 American citizens now residing at Atlin city, in British Columbia.

Your indorsement upon said Petition is to the effect that this Office should take such action as might be deemed proper in the premises.

Upon a careful examination of said Petition, I am convinced that the statements therein contained are true, and that they are not exaggerated.

I am impressed that said petitioners present a case of such merit as to warrant action by this Government in their behalf.

These petitioners represent that they went to British Columbia long before the enactment of the local Law, dated the 18th January, 1899, and complied, in good faith, with every provision of the then existing Law relative to mining rights and privileges, but that it was impossible to have their claims duly recorded and thus maintain their interests because of the failure of the Local Government to provide the necessary facilities for recording such claims.

Accepting the petitioners statements as being true, it would seem that they possess material and valuable equities, which, if urged by the proper officials of this Government, the Government of British Columbia might be induced to respect and protect.

I am unable to see that it is possible for this Office to take any definitive action having in view the relief of said petitioners.

Upon carefully considering this matter, I have deemed it proper to return said Petition, with recommendation that the attention of the Honourable Secretary of State be invited thereto.

Very respectfully,
(Signed) BINGER HERMANN, *Commissioner.*

Inclosure 3 in No. 10.

Petition.

To his Excellency William McKinley, President of the United States of America.

Honourable Sir,

YOUR petitioners would respectfully represent to your consideration the following facts for such action as may seem just and proper, and for such aid in securing to the citizens of the United States, now residing in Atlin mining district, their property and vested rights:—

1. Your petitioners represent some 500 citizens of the United States now residing in the Atlin gold-fields of British Columbia, who have become "free miners" by invitation of the Government of Great Britain, as embraced in the Statutes of British Columbia, a province of the Dominion of Canada, which enactments were made by Her Britannic Majesty Queen Victoria, by and with the advice and consent of the Legislative Assembly of the province of British Columbia, which enact as follows:—

"Extract of Laws.

"Every person over but not under 18 years of age, and every Joint Stock Company, shall be entitled to all the rights and privileges of a free miner upon taking out a free miner's certificate.

"A free miner's certificate may be granted for one or more years, to run from the date thereof, or from the expiration of the applicant's then existing certificate, upon the payment therefor of the fees set out in the Schedule of fees to this Act.

"If any person or Joint Stock Company shall apply for a free miner's certificate at the Mining Recorder's office during his absence, and shall leave the fees required by this Act with the officer or other person in charge of the said office, he or it shall be entitled to have such certificate from the date of such application.

"And any free miner shall at any time be entitled to a free miner's certificate, commencing to run from the expiration of his then existing free miner's certificate, provided that when he applies for such certificate, he shall produce to the Mining Recorder, or in case of his absence, shall leave with the officer or other person in charge of the Mining Recorder's office such existing certificate.

"Every free miner shall, during the continuance of his certificate, but no longer, have the right to enter, locate, prospect, and mine for gold and other precious metal upon any lands in the province of British Columbia, whether vested in the Crown or otherwise, except Government reservations for town sites, land occupied by any building, and any land falling within the curtilage of any dwelling-house, and any orchard, and any land lawfully occupied for placer mining purposes, and also Indian reservations.

"Every free miner shall be entitled to locate and record a placer claim on each separate creek, ravine, or hill, but no more than two claims in the same locality, only one of which shall be a creek claim. He shall be allowed to hold any number of claims (placer) by purchase; any free miner may sell, mortgage, or dispose of his claims or any interest therein."

2. Your petitioners would further respectfully represent that, reposing trust and confidence in Her Majesty the Queen of Great Britain, and believing that Her Majesty's Government was acting in good faith, and desiring her mines to be developed, and would in common amity and fairness extend a welcome to energetic and law-abiding citizens of the United States, and in good faith execute and carry out the provisions of her said enactments thus advertized to the world, have expended large sums of money and performed great and arduous labours many times at risk of life and health, and suffered much from hardships and exposure in coming to this remote and inhospitable country in order to secure these privileges.

3. Your petitioners would further respectfully represent that Her Majesty has, by and with the advice and consent of the Legislature of British Columbia, repealed certain provisions of the Placer Mining Act hereinbefore recited (under which citizens of the United States have become free miners) by an Act of said Legislature bearing date the 18th January, A.D., 1899, thus abrogating and annulling nearly all

the vested rights secured to the citizens of the United States who became free miners under said Acts, prospected and located claims, only allowing them to work claims that are placed on record before the 18th January, A.D., 1899.

4. Your petitioners would further respectfully represent that the mining season closed the 15th September last, since which time no Recorder's Office has been kept here and no Recorder has been accessible to the miners of Atlin district; and much of the time prior to the 15th September last, either there was no Recorder in this locality, or he was not furnished with the necessary blanks and books of record, and could not record claims, and, in consequence, a large portion of the claims which have been prospected and located could not be recorded, owing to absence or inability of Recorder to make the record; and now the rights of the citizens of the United States are annulled and a record of said claims refused, although they hold a "free miner's certificate," and are entitled to the fruits of their labour under the provisions of the Law which constituted them free miners, and after expending much time, labour, and capital, in prospecting for and locating said claims.

5. Your petitioners would further respectfully represent that when they accepted Her Majesty's invitation, as evidenced by said enactments, and came into this country, at great expense and hardship, and took out and paid for a free miner's certificate for one or more years, with a right of renewal, as provided for by said Placer Mining Act, they acquired a vested right as such free miner, which secured to them the right to prospect for, locate, and have recorded, and work, one or more claims (placer), in accordance with the provisions of said Acts then in force, as long as their then-existing free miner's certificate shall run, with the further right to have said free miner's certificate renewed from time to time, so long as they complied with the existing Placer Mining Acts in force at that time.

6. Your petitioners would further respectfully represent that all their capital, labour, and knowledge, has been rendered valueless, not by any laxness of theirs, but in consequence of Her Majesty's Government refusing to recognize the rights and privileges accorded to them under the laws in force when they took out their free miner's certificate; and when said Government failed to provide a Recorder, with proper books and instructions, to make record of claims; and when said Government refused to acknowledge the validity of said free miner's certificate, with all the rights and privileges guaranteed to them by the laws of Her Majesty's Government; and when said Government refuses to record claims prospected and located under the provisions of said enactments when said claims are prospected and located by a citizen of the United States as free miner in good standing under the laws of Her Majesty's Province of British Columbia.

7. Your petitioners would further respectfully represent that nearly all of the citizens of the United States now in the Atlin district who have taken out a free miner's certificate are miners of small means; that not only their rights as free miners to prospect and locate mining claims have been taken away, but also the right to earn their subsistence by labouring for British subjects is denied them, as they cannot secure a free miner's certificate, except to work out mining claims they had secured and recorded prior to the 18th January, 1899, the date of said amended Act.

8. Your petitioners would further respectfully represent that, in consequence of the said recent enactments by Her Majesty's Province of British Columbia excluding citizens of the United States and other aliens from the Atlin mines, the business of the country has been prostrated, and the property of the citizens of the United States has become almost valueless; all improvements in Atlin city and other places have been suspended, and large numbers of people are leaving the country; that a large majority of the miners and business men of Atlin district are citizens of the United States; that four-fifths of the claims prospected and located belong to said citizens of the United States, while extensive improvements have by them been commenced in Atlin city and other places; and that in consequence of said exclusion enactments no one feels secure in his rights and interests, and no one is disposed to risk capital and labour in the development of the country; and that hydraulic, mining, and other extensive works requiring large expenditures of capital and labour will be abandoned, or cease to engage the attention of capitalists and miners, on account of the insecurity of the rights of property and scarcity of labour, owing to the discrimination against aliens, thus causing the tide of emigration to be diverted to other localities, where laws are more liberal and the vested rights more sacred.

9. Your petitioners would further respectfully represent that, in consequence of the recent enactments of Her Majesty through the Legislative Assembly of British Columbia depriving the citizens of the United States of their vested rights which

were guaranteed to them when they took out free miners' certificates and prospected and located mining claims, the citizens of the United States in this district alone have been damaged to the extent of many millions; and unless they are relieved from this unjust legislation, many of them will be compelled to ask assistance from their Government to remove to other sections where the rights of labour and property are better protected and respected.

Now, your petitioners would respectfully ask and pray that, in behalf of the citizens of the United States now in Atlin mining district who have taken out a free miner's certificate, you bring to the notice of Her Majesty's Government of Great Britain the foregoing facts, and ask that the vested rights of the citizens of the United States who became free miners under Her Majesty's enactments be respected and secured, and that the amended Placer Mining Act of the Province of British Columbia, passed the 18th day of January, A.D. 1899, if not repealed, be so modified as to give to the said citizens of the United States who emigrated to this country and took out a free miner's certificate all the rights and privileges accorded to them under the various enactments of her said Majesty's Government in force at the time said miner's certificate was issued.

(Signed)

J. C. MILLER, <i>New York City,</i>	} Committee.
A. HUGHES, <i>New York City,</i>	
J. Q. LEIGHTY, <i>Frontin, Ohio,</i>	
W. H. FRENCH, <i>California,</i>	
D. P. OGILVIE,	

Atlin City, British Columbia, February 10, 1899.

No. 11.

Colonial Office to Foreign Office.—(Received April 18.)

(Confidential.)

Sir,

Downing Street, April 17, 1899.

WITH reference to the letter from this Department of the 18th February respecting the proposed modification of the Clayton-Bulwer Arrangement, and to your letter of the 31st ultimo, inclosing copy of a despatch No. 37 of the 15th February, addressed to Her Majesty's Ambassador at Washington on the same subject, I am directed by Mr. Secretary Chamberlain to transmit to you, for the consideration of the Marquess of Salisbury, copy in paraphrase of a telegram from the Governor-General of Canada notifying the despatch of a Minute of the Dominion Privy Council, in which his Ministers represent the desirability, while such a modification is being considered by Her Majesty's Government, of insisting on the Alaska Boundary question being referred to arbitration on the terms agreed to in the case of the Venezuelan dispute, and also of urging the injury now done to Canadian trade with Porto Rico by the operation of the United States' coasting laws.

Mr. Chamberlain is strongly of opinion that until the United States' Government are prepared to agree to a reasonable arrangement for settling the Alaska Boundary question, Her Majesty's Government should defer proceeding with the discussion of the proposed modification of the Clayton-Bulwer Treaty.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure in No. 11.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

[Undated.]

I INCLOSE in my Secret despatch of the 10th April a Minute of the Privy Council suggesting that it would be wise to insist upon referring the Alaska Boundary question to arbitration on terms of Venezuelan reference, before Her Majesty's Government agree to modification of the Clayton-Bulwer Treaty, and also that the injury now done to Canadian trade with Porto Rico by American coasting laws should be urged while that Treaty is being considered.

No. 12.

Colonial Office to Foreign Office.—(Received April 18.)

(Confidential.)

Sir,

Downing Street, April 17, 1899.

IN reply to your letter of the 12th instant, inclosing copy of a telegram from Her Majesty's Ambassador at Washington reporting that the United States' Government are pressing for a reply to their proposal for the establishment of a provisional boundary between Canada and Alaska, I am directed by Mr. Secretary Chamberlain to request you to inform the Marquess of Salisbury that the Minute of the Dominion Privy Council, promised by Lord Minto in his telegram of the 30th ultimo, and referred to by Sir Julian Pauncefote, has not yet been received in this Department.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure in No. 12.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

[Received April 10, 1899, 10:50 P.M.]

I INCLOSE in my Secret despatch of the 10th April a Minute of the Privy Council suggesting that it would be wise to insist upon referring the Alaska boundary question to arbitration on terms of Venezuelan reference before Her Majesty's Government agree to the modification of the Clayton-Bulwer Treaty, and also that the injury now done to Canadian trade with Porto Rico by American coasting laws should be urged while that Treaty is being considered.

No. 13.

The Marquess of Salisbury to Sir J. Pauncefote.

(No. 87.)

Sir,

Foreign Office, April 20, 1899.

IN continuation of previous correspondence, I transmit herewith, for your Excellency's information, copy of a further letter from the Colonial Office, as marked in the margin,* respecting the Alaska boundary question.

I am, &c.

(Signed) SALISBURY.

No. 14.

Foreign Office to Colonial Office.

Sir,

Foreign Office, April 25, 1899.

WITH reference to the letter from this Office of yesterday's date, inclosing copy of telegram No. 43 of the 23rd instant from Her Majesty's Ambassador at Washington, respecting the condition of affairs in the region of the Lynn Canal, I am directed by the Marquess of Salisbury to transmit to you a copy of a despatch from Sir Julian Pauncefote, covering copy of a Petition to the President of the United States from American residents in the Atlin district of British Columbia, representing the hardship to their interests of recent mining legislation of that province.†

I am to inquire what instructions Mr. Chamberlain would desire should be sent to Sir J. Pauncefote in the matter.

I am, &c.

(Signed) FRANCIS BERTIE.

* No. 11

† Sir J. Pauncefote (Telegraphic), No. 43, April 23, 1898.

No. 13*.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received April 23.)

(No. 43.)

(Telegraphic.) P.

Washington, April 23, 1899.

REFERRING to your telegram No. 64 of the 18th instant:

It has been reported to the Secretary of State by the Governor of Alaska that the condition of affairs in the Lynn Canal region has become dangerous. This is due to the further advance made by Canadians since last year, and also to the presence in the disputed territory of some 2,500 American miners within the line claimed by the United States and laid down on the maps as United States' territory. I have been asked by Secretary of State whether British Columbian authorities would agree not to enforce the provisions of their mining laws, which excludes aliens, against these American miners in order to avert conflicts and pending the settlement by arbitration of the boundary. A more satisfactory *modus vivendi* to Canada than that which they have proposed in the Chilkat Pass and the adjustment of a provisional boundary-line would thereby be greatly facilitated if they agreed to this.

This telegram has been communicated to the Governor-General of Canada, and I hope an arrangement may be arrived at.

No. 14*.

Mr. Tower to the Marquess of Salisbury.—(Received April 27.)

(No. 45.)

(Telegraphic.) P.

Washington, April 27, 1899.

REFERRING to Sir J. Pauncefote's telegram No. 43:

The Governor-General of Canada reported on the 25th instant:—

“With reference to your telegram of the 23rd April.

“The United States' Government have evidently been given an incorrect impression of the position of affairs in the region of Lynn Canal by the Report of the Governor of Alaska. It was agreed last year that the summits in the White and Chilcoot Passes were to form the provisional boundary. At this provisional boundary Canadian police are stationed. Canadian police are also posted more than 10 marine leagues from tide-water in the Chilkat route. No ground for difficulty exists. Since last year there has been no further advance by Canada. The information we have received as to the position of affairs is fairly accurate, and indicates no danger of conflict.”

A private letter follows.



No. 15.

Colonial Office to Foreign Office.—(Received April 28.)

(Secret.)

Sir,

Downing Street, April 28, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letters of the 24th instant, covering copy of Sir J. Pauncefote's telegram No. 43 of the 23rd instant, and also of your letter of the 25th instant, inclosing his despatch of the 7th April, and I am to transmit to you, in reply, a paraphrase of a telegram from the Governor-General, stating that the Canadian outposts have not been advanced, and that there is no danger of conflict; and also a paraphrase of a telegram which has been sent to Lord Minto in reply, suggesting special consideration of the case of any United States' miners who may have been prevented from recording their claims before the date fixed by the law through the failure of the Provincial Government to provide machinery for the purpose.

2. In the interests of peace, Mr. Chamberlain has also requested Lord Minto to impress upon his Ministers the desirability of having in the Atlin district a force strong enough to prevent the possibility of disturbances.

3. In his mention of a provisional boundary-line on the Chilkat Pass more favourable to Canada than that proposed by the Dominion Government, Sir J. Pauncefote no doubt refers to the Minute of the Canadian Privy Council, of which a copy is inclosed, but Mr. Chamberlain is of opinion that unless the United States' Government will agree to arbitration on the lines proposed by the British Commissioners, as reported in Lord Herschell's despatch No. 3 of the 24th February last, simultaneously with an arrangement for a provisional boundary-line, Her Majesty's Government would not be justified in asking the British Columbian Government to suspend their laws forbidding aliens to acquire mining rights, while the United States' Government refuse to agree to arbitration except upon terms which would assure to them in any event the most valuable points in dispute.

4. A more favourable provisional line on the Chilkat is, moreover, a matter of slight importance compared with the concession now asked for by the United States' Government, and to grant this concession and consent to fix a provisional line without a definite agreement as to arbitration, would render the prospect of arriving at such an agreement still more doubtful than it is at present.

5. I am to add, with reference to your letter of the 12th instant, that Mr. Chamberlain has no objection to the accompanying Minute of the Canadian Privy Council being communicated by Her Majesty's Ambassador to the United States' Secretary of State.

I am, &c.

(Signed) H. BERTRAM COX.

 Inclosure 1 in No. 15.
Mr. Chamberlain to Governor-General the Earl of Minto.

(Telegraphic.) P.

April 27, 1899.

REFERRING to your telegram of yesterday, see Pauncefote's despatch of the 7th April, forwarding a Petition from United States' miners prevented from recording their claims through failure of Provincial Government to provide machinery for the purpose. If facts are as stated, these miners appear to have claims for consideration, and Her Majesty's Government hope that if your Ministers agree, they will bring the matter before the Government of British Columbia with a view to equitable relief being afforded in such cases.

(Secret.)

Most important to have in the Atlin district a force sufficiently strong to prevent the slightest possibility of peace being disturbed by alien miners. You should impress this on your Ministers.

Inclosure 2 in No. 15.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

[Received April 26, 1899.]

PAUNCEFOTE has sent following telegram :—

"April 23.—Secretary of State has received from Governor of Alaska . . . *modus vivendi* in Chilkat Pass more satisfactory to Dominion Government than there own proposal."

I have telegraphed in reply as follows :—

"April 25.—United States' Government have evidently received from the Governor of Alaska an incorrect idea of the state of affairs in the Lynn Canal region. Provisional boundary on summits of White and Chilcoot Passes was agreed on last year, and on this provisional boundary the Canadian police are stationed. On the Chilkat route they are posted more than 10 marine leagues from tide water. There is no ground for difficulty, there has been no further advance by Canadians since last year.

"We do not anticipate any danger of conflict from our information as to position of affairs, which is fairly accurate."

Inclosure 3 in No. 15.

Governor-General the Earl of Minto to Mr. Chamberlain.

Sir,

Government House, Ottawa, April 6, 1899.

WITH reference to my despatch No. 60 of the 24th ultimo, with which I transmitted to you a copy of a despatch from Her Majesty's Ambassador at Washington communicating certain proposals of the United States' Government in regard to the demarcation of a provisional boundary-line in the vicinity of the Lynn Canal, I have the honour to inclose herewith a copy of an approved Minute of the Privy Council containing the observations of my Ministers upon these proposals.

I have forwarded a copy of the Minute to Her Majesty's Ambassador at Washington.

I have, &c.
(Signed) MINTO.

Inclosure 4 in No. 15.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 30th March, 1899.

THE Committee of the Privy Council have had under consideration a despatch from Mr. Hay, United States' Secretary of State, dated the 20th March last, to Her Majesty's Ambassador to the United States, suggesting the establishment of a provisional boundary-line between the territorial possessions of the United States and Canada in the vicinity of Lynn Canal, together with the letter dated the 21st March last, from Her Majesty's Ambassador to the Marquess of Salisbury, inclosed, and the cable despatch of the 27th March last, from the Secretary of State for the Colonies asking for the views of your Excellency's advisers upon said subject.

The Minister of the Interior, to whom said matter was referred, desires to call attention to the fact that the provisional boundary-line which is suggested in the note of Mr. Hay on the White and Chilcoot Passes, has been accepted by the Government of the United States and the Government of Canada as provisional about two years ago.

The Minister, with regard to the provisional delimitation of the boundary on the Chilkat Pass, cannot agree to the proposition that it should be placed at the distance of 30 miles from the shore. He contends that it should be placed at the crest of the mountains nearest to the coast; but whilst he, the Minister, thinks it quite advisable that the line on the Chilkat Pass should be provisionally established, he represents

that at the same time, and concurrently, the United States' Government should agree to have the whole line between Alaska and Canada from Prince of Wales Island to Mount St. Elias determined by arbitration.

The Minister further states that this assent to a provisional line is not in any way to be construed as a deviation from the contention of Canada that the boundary-line by the terms of the Treaty should pass at the entrance of the Lynn Canal.

The Committee concur in the foregoing report and advise that your Excellency do communicate the sense of this Minute to the Most Honourable the Marquess of Salisbury, and to Her Majesty's Ambassador to the United States.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE,

Clerk of the Privy Council.

Sir J. Pauncefote to Governor-General the Earl of Minto.

My Lord,

Washington, March 21, 1899.

I have the honour to transmit to your Excellency herewith copy of a despatch which I have this day addressed to the Marquess of Salisbury, covering a note received from the United States' Secretary of State, on the subject of a provisional boundary-line in the vicinity of the Lynn Canal.

I have, &c.

(Signed)

JULIAN PAUNCEFOTE.

Sir J. Pauncefote to the Marquess of Salisbury.

My Lord,

Washington, March 21, 1899.

With reference to previous correspondence on the subject of a *modus vivendi* to be observed on the Alaska boundary, I have the honour to report that in consequence of certain rumours which have been published in the American press of a conflict having taken place between the Canadian and United States' prospectors on the Porcupine River, I have recently spoken to the United States' Secretary of State on the desirability of establishing a provisional boundary-line without prejudice to the rights of either party, in the vicinity of the Lynn Canal, as was suggested previously to the meeting of the Joint High Commission.

Mr. Hay yesterday transmitted to me a definite proposal on the subject, contained in the note a copy of which I have the honour to inclose herewith.

It appears to be highly desirable and advantageous that such an arrangement should be arrived at as early as possible.

I have this day forwarded a copy of Mr. Hay's note to the Governor-General of Canada.

I have, &c.

(Signed)

JULIAN PAUNCEFOTE.

Mr. Hay to Sir J. Pauncefote.

Excellency,

Department of State, Washington, March 20, 1899.

Recalling the recent interviews which I have had the honour to hold with you respecting the desirability of establishing a provisional boundary-line between the territorial possessions of the United States and Canada in the vicinity of the Lynn Canal, and referring to the notes exchanged between this Department and your Embassy during the past year, to wit, your *pro-memoria* of the 19th April, the note of Secretary Day of the 9th May, and your reply thereto of the 20th July, I feel warranted in submitting to you the following proposition:—

It shall be agreed between the two Governments that the boundary-line between Canada and the territory of Alaska in the region about the head of Lynn Canal shall be provisionally fixed, without prejudice to the claims of either party in the permanent adjustment of the international boundary, at the watershed on the summit of White

and Chilkeo Passes, and at a point 30 marine miles from Pyramid Harbour on the Chilkat Pass, and otherwise known as the Dalton Trail; and the two Governments further agree that the respective Customs outposts shall not be advanced beyond the points indicated. Steps shall be taken without delay to establish by international co-operation a provisional boundary monument at each of the three points herein established.

An acknowledgment from you accepting this understanding, which embodies the proposals made in your communications of last year, and which, it appears, had been virtually observed as to the passes above Lynn Canal since July of last year, would accomplish the desired result by exchange of notes.

I have, &c.
(Signed) JOHN HAY.

No. 16.

Colonial Office to Foreign Office.—(Received April 29.)

Sir,

Downing Street, April 28, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 30th ultimo, a copy of a despatch from the Governor-General of Canada, on the subject of the Alaska Government Bill of the United States' Congress.

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure 1 in No. 16.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Confidential.)

Sir,

Government House, Ottawa, April 4, 1899.

WITH reference to my telegraphic message in cypher of the 29th ultimo, suggesting an amendment of the Alaska Government Bill of the United States' Congress, I have the honour to forward herewith a copy of the approved Minute of the Privy Council upon which that message was based.

I have, &c.
(Signed) MINTO.

Inclosure 2 in No. 16.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 29th March, 1899.

THE Committee of the Privy Council have had under consideration documents respecting the Alaska Government Bill now pending in the United States' Congress and a cable paraphrase hereto attached, dated the 13th March, 1899, from the Right Honourable Mr. Chamberlain asking for the views of your Excellency's advisers as therein set forth:—

The Minister of the Interior to whom the matter was referred recommends that a despatch be sent to Mr. Chamberlain recommending that the United States' authorities be asked to amend the said Bill by striking out of Section 10 the following words: "That native-born citizens of the Dominion of Canada shall be accorded in said district of Alaska the same mining rights and privileges accorded to citizens of the United States in British Columbia and the north-west territories by the laws of the Dominion of Canada or the local laws, rules and Regulations," and that in lieu of the words so struck out the following be substituted: "That British subjects born or domiciled in Canada shall be accorded in said district of Alaska the same mining rights and privileges as are accorded to citizens of the United States in such territory or territories as are administered directly by the Government of said Dominion."

The Committee advise that your Excellency be moved to communicate by cable in the sense of this Minute to the Right Honourable the Secretary of State for the Colonies.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE,
Clerk of the Privy Council.

No. 17.

The Marquess of Salisbury to Mr. Tower.

(No. 68.)

(Telegraphic.) P.

Foreign Office, April 29, 1899.

REFERRING to my telegram No. 64 of the 18th instant, relative to the provisional Alaska boundary, you are authorized to communicate the Minute of the Canadian Privy Council of the 30th March to the United States' Government.

A further telegram will be sent to you shortly with regard to the Columbian Mining Laws.

No. 18.

Foreign Office to Colonial Office.

Sir,

Foreign Office, April 29, 1899.

WITH reference to the concluding paragraph of your letter of yesterday's date, I am directed by the Marquess of Salisbury to state, for the information of Mr. Secretary Chamberlain, that Her Majesty's Chargé d'Affaires at Washington has been authorized by telegram to communicate to the United States' Government the Minute of the Canadian Privy Council of the 30th March, respecting the provisional Alaska boundary.

Mr. Tower has also been informed that, with regard to the question of the Columbian Mining Laws, a further communication will be addressed to him later by telegraph.

I am, &c.

(Signed) FRANCIS BERTIE. 

No. 19.

Colonial Office to Foreign Office.—(Received May 1.)

Sir,

Downing Street, April , 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 25th instant, a copy of a despatch to the Governor-General of Canada on the subject of the Petition addressed to the President of the United States by certain Americans residing in British Columbia respecting the mining laws of that province.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure in No. 19.

Mr. Chamberlain to the Earl of Mintó.

(Confidential.)

My Lord,

Downing Street, April 28, 1899.

WITH reference to my telegram of the 27th instant, I have the honour to advert to the Petition addressed to the President of the United States by American citizens resident in the Atlin district of British Columbia, of which I understand that you have received a copy from Her Majesty's Ambassador at Washington.

2. The petitioners appear to me, if the facts are as stated, to have a real claim to consideration, and I shall be glad if you will request your Ministers, should they

concur in this opinion, to bring the case of such United States' citizens as were prevented from recording their claims through no fault of their own specially before the Government of British Columbia, with a view to some action being taken for their relief.

I have, &c.
(Signed) J. CHAMBERLAIN.

No. 20.

Colonial Office to Foreign Office.—(Received May 2.)

(Confidential.)

Sir,

Downing Street, May 1, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from this Department of the 17th instant, a copy of documents on the subject of the proposed Convention for modifying the Clayton-Bulwer Treaty.

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure 1 in No. 20.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Secret.)

Sir,

Government House, Ottawa, April 10, 1899.

WITH reference to your Secret despatch of the 20th February last, forwarding a draft of a Convention for modifying the Clayton-Bulwer Treaty so as to permit the construction of the proposed Nicaragua Canal under the auspices of the United States, I have the honour to inclose herewith copy of an approved Minute of the Privy Council embodying the observations of my Ministers upon this draft Convention.

You will observe that Ministers are of opinion that the consideration of this question affords a favourable opportunity for urging upon the United States' Government the reference to Arbitration of the Alaska boundary difficulty and the modification of the coasting laws affecting Porto Rico in favour of Canadian shipping.

I have, &c.
(Signed) MINTO.

Inclosure 2 in No. 20.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 4th April, 1899.

THE Committee of the Privy Council have had under consideration a Confidential despatch, hereto annexed, from the Right Honourable the Secretary of State for the Colonies, on the subject of the Clayton-Bulwer Treaty respecting the proposed canal across the isthmus which connects South America with North America, together with the draft Convention setting forth in specific terms the details of the changes suggested.

The Sub-Committee of the Privy Council, to whom the despatch and Convention were referred, have made a report thereon in which the Sub-Committee submit, whether, in view of the urgent necessity of the delimitation of the Alaskan boundary from Mount St. Elias southerly, it would not be wise to insist upon an Agreement for a reference of the Alaska Canadian boundary-line to an arbitral tribunal before Her Majesty's Government agree to the proposed modification of the Clayton-Bulwer Treaty.

The Sub-Committee further recommend that as since the recent annexation of Porto Rico by the United States the coasting laws of the United States have been extended to that island, the United States' Government be urged, while asking for a modification of the Clayton-Bulwer Treaty, to, at the same time, exempt Canadian shipping from the operation of these coasting laws.

The Committee of the Privy Council, concurring in the said annexed report, advise that your Excellency be moved to transmit a certified copy of this Minute together with

a copy of the attached report to the Right Honourable the Secretary of State for the Colonies.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE,

Clerk of the Privy Council.

Inclosure 3 in No. 20.

Memorandum by Mr. R. W. Scott.

THE Sub-Committee of Council, to whom was referred the Confidential despatch from the Right Honourable the Secretary of State for the Colonies on the subject of the proposed modifications of the Clayton-Bulwer Treaty, together with the draft Convention setting forth in specific terms the details of the changes suggested, beg leave to report:—

By the VIIIth Article of the Treaty of 1850 the canal across the isthmus which connects North and South America was to be under the joint protection of the United States and Great Britain, the subjects of each Power to enjoy the advantages of the canal on equal terms. It was, however, also to be open on like terms to the citizens and subjects of every other State which was willing to grant thereto such protection as the two Powers named engaged to afford.

In the draft Convention submitted the general principle of neutralization is intended to be continued, though the canal is to be constructed under the auspices of the Government of the United States, but it is to be free and open in time of war as in time of peace to the vessels of commerce and of war of all nations on terms of entire equality, so that there could be no discrimination against any of its citizens or subjects in respect of the conditions or charges of traffic or otherwise. With that provision the Sub-Committee sees no objection to the proposed draft Convention, and would recommend that Mr. Chamberlain be so advised.

The Sub-Committee suggest that the time would seem opportune for Great Britain, while consenting to the modifications of the Clayton-Bulwer Treaty, to call the attention of the Government of the United States to the urgent necessity for the delimitation of that part of the Alaska boundary from Mount St. Elias southerly to the southernmost point of the Prince of Wales Island, as described in the Convention between Great Britain and Russia, signed at St. Petersburg in 1825.

Gold and other valuable metals are now being found in close proximity to the disputed territory, and a longer delay in defining the boundary between Canada and the United States would seem to invite disputes and difficulties that may be averted by prompt attention to this important subject.

As far back as 1872 Her Majesty's Government, at the instance of the Canadian Government, suggested to the United States the expediency of defining the boundary-line between Alaska and British Columbia. Mr. Fish, then Secretary of State, replied that he was perfectly satisfied of the expediency of the proceeding, but he feared that Congress might not be willing to take the necessary action. He subsequently informed Sir Edward Thornton, then Minister at Washington, that the President was so impressed with the advantage of having the boundary-line defined at once that he would recommend the necessary action on the part of Congress.

In February 1873 the United States' Government estimated the cost of this survey at 1,500,000 dollars as their share of the expense. Mr. Fish stated that it would be impossible for Congress to take up this question during the then session, and he doubted whether they would ever be induced to vote so large a sum as would be necessary to lay down the boundary completely. He suggested that, for the present, it would be sufficient to decide upon some particular points.

In 1874 the Provincial Government of British Columbia again urged a speedy delimitation of the boundary-line, and on the 23rd February in that year Mr. Fish stated that it would be impossible to induce Congress to vote the expense necessary for the first year of the survey, nor would it be expedient to attempt to do so.

In 1884 Mr. W. H. Dall, an officer of the Geological Survey of the United States' Government, wrote semi-officially to Dr. G. M. Dawson, Director of the Geological Survey of Canada, suggesting a Conventional line along the whole coast.

Diplomatic correspondence then took place in 1885-86, in the course of which the President of the United States suggested a "more convenient time" for action. In

1888 the question of this more convenient time was discussed by Messrs. Dall and Dawson in Washington.

From 1887 to 1892 surveys were made by officials of the two countries for the purpose of ascertaining the points where the 141st meridian crossed the Yukon and other streams. Those were defined, and are now found of much value in indicating the territory of each country; and, when necessary, other points along the meridian can readily be traced.

The delimitation of the fringe or strip of coast south of Mount St. Elias, fronting on the Pacific Ocean, and belonging to the United States, has never been undertaken, though, as will be noted, Canada has since 1872 frequently pressed for a settlement of this boundary-line. At that time it was assumed that the value of the territory was not sufficient to justify the expenditure involved.

The great influx of mining population into the country would now seem to demand that the settlement of the question be no longer delayed, otherwise very embarrassing and dangerous disputes over mining claims will certainly arise.

As the Anglo-American Joint High Commission, which lately adjourned its sittings at Washington, was unable to agree to any compromise or settlement of this line, the only course which seems to be open is a reference of the dispute to arbitration. The British members of the Commission were willing, and offered to refer the question to arbitration on terms precisely similar to those adopted, if not insisted upon by the United States, with respect to the Venezuela boundary-line. The United States' Commissioners would not agree to this unless special provision was made that no matter where the Arbitrators should find the boundary to be, the settlements along the coast of the Lynn Canal which have been made by the United States should remain part of the territory of that country. They also declined to agree to the appointment of an Umpire or third Arbitrator by any European Power except the Swiss Republic.

The Sub-Committee respectfully submit whether it would not be wise to insist upon an agreement for a reference of the Alaska-Canadian boundary-line to an Arbitral Tribunal on terms similar to those of the Venezuela reference, before Her Majesty's Government agree to the proposed modification of the Clayton-Bulwer Treaty.

Since the recent annexation of the Island of Porto Rico, the United States have, by Proclamation of their President, extended their coasting laws to this island and thereby excluded British and Canadian merchant-vessels from the very considerable trade they have for many years past enjoyed in the carriage of cargoes to Porto Rico and from thence to New York and other American ports. The Sub-Committee submits that the serious injury thus inflicted upon Canadian carrying trade should be laid before the Government of the United States, and that they should be urged, while asking for a modification of the Clayton-Bulwer Treaty, at the same time to exempt Canadian shipping from the operation of these coasting laws, so far as Porto Rico is concerned, and so avert the grave injury which Canada's shipping will otherwise receive. A similar result will follow if the United States' coasting laws are also applied to Cuba.

The Committee advise that if this report be approved, that your Excellency be moved to transmit a copy of it to the Right Honourable the Secretary of State for the Colonies.

(Signed) R. W. SCOTT.

No. 21.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, May 6, 1899.

I AM directed by the Marquess of Salisbury to acknowledge the receipt of your letter of the 1st instant, inclosing a copy of a despatch from the Governor-General of Canada, in which it is suggested that the negotiation for the modification of the Clayton-Bulwer Treaty affords a favourable opportunity for urging the United States' Government to refer the Alaska boundary question to arbitration, and to except Porto Rico from the operation of the American Law respecting coasting trade.

It will be within Mr. Secretary Chamberlain's recollection that Her Majesty's Ambassador at Washington was consulted on this subject so early as February last, and that his Excellency reported by telegraph that the United States' Government would certainly not consent to deal in the new Treaty with any other question but that of the Interoceanic Canal.

No. 20*.

Mr. Tower to the Marquess of Salisbury.—(Received May 5.)

(No. 46).

(Telegraphic.) P.

Washington, May 5, 1899.

PROVISIONAL boundary of Alaska.

I was informed to-day by Mr. Hay that it has been decided to establish a military post, consisting of one company of infantry, under the command of an officer of discretion, at Pyramid Harbour, on the Chilkat inlet of the Lynn Canal.

I have informed the Governor-General of Canada.

A copy of the telegram was communicated to your Department on the 10th February, and the course of action proposed by Sir Julian Pauncefote was approved by Her Majesty's Government.

A copy of the telegram informing his Excellency of the fact was also sent to the Colonial Office at the time.

I am, &c.
(Signed) F. H. VILLIERS.

No. 22.

Mr. Tower to the Marquess of Salisbury.—(Received May 8.)

(No. 124. Confidential.)

My Lord,

Washington, April 28, 1899.

IN my telegram No. 45 of the 27th instant, I repeated to your Lordship a telegram from the Governor-General of Canada upon the reported advance of Canada and the consequent dangerous condition of affairs in the region of the Lynn Canal (see Sir Julian Pauncefote's telegram No. 43 of the 22nd instant).

A letter from the Earl of Minto to Sir Julian Pauncefote (copy of which is inclosed herewith) has been this day received, stating the views held by the Canadian Ministers on the Alaskan boundary question and British Columbian legislation.

Your Lordship will observe that, in this letter, Lord Minto expresses his conviction that, should the United States consent to arbitration as suggested by the Joint High Commission, the British Columbian legislation would be at once disallowed.

I have, &c.
(Signed) REGINALD TOWER.

Inclosure in No. 22.

Governor-General the Earl of Minto to Sir J. Pauncefote.

Dear Sir Julian Pauncefote,

Government House, Ottawa, April 25, 1899.

SIR WILFRID LAURIER has promised me an answer to your cypher of the 23rd instant (*re* Alaska) this afternoon, but as I have to go to Kingston to-night till Thursday, I write in anticipation of the cypher I hope to send you later to tell you briefly as to the position my Ministers take on the Alaskan boundary question and British Columbia legislation.

They recognize the present provisional boundary at the White Pass and Chilkoot Pass. But they tell me that the Provisional Agreement concerning them only dealt with the passes leading from the Taiya Inlet, and had nothing to do with the Chilkat Pass (Dalton Trail), and Sir Wilfrid tells me he does not consider Canada bound by the 30-mile limit condition as regards distance from the shore of the Lynn Canal at Pyramid Harbour. I am also told that the recent rumours of troubles on the Porcupine River are unfounded. As to your cypher of the 23rd instant, my Ministers inform me that there has not been any advance on the part of Canada for some two years at any rate, *i.e.*, as a forward movement of armed posts, which remain where they have been for the past two years, but that no doubt the Atlin district is filling up with Canadians, who look upon it as belonging to Canada; it is in this district that the British Columbia legislation against American miners is causing dissatisfaction.

Sir Wilfrid Laurier strongly disapproves of that legislation, but he refuses to ask his Government to consider the disallowance of the Bill until he knows for certain that America will come to terms on the whole Alaskan boundary question. In fact, he feels that objectionable as the British Columbia legislation is in principle, that it strengthens his position as regards the possession of the Atlin district and the consideration of the boundary question.

If the United States would consent to arbitration as suggested by the Commissioners, I feel sure the British Columbia legislation would be at once disallowed.

As regards the reassembly of the Commission, Sir Wilfrid tells me decidedly that

he will not agree to reassemble until the Alaskan boundary is definitely dealt with.

Sir Wilfrid's draft for cypher to you has just reached me, and supports what I have already said.

I notice, however, that he says the Canadian police in the Chilkat Pass are more than 10 marine leagues from tide-water; this is correct, but you will see in the Privy Council Order of the 30th March, which I sent you in my despatch of the 6th April, that Canada does not admit the obligation of a 30-mile limit in that district. The point I know Sir Wilfrid thinks the most suitable for a Canadian post on the Chilkat Pass is at the junction of the Klekini and Chilkat Rivers, which is considerably nearer to the shore than present police post.

Believe me, &c.
(Signed) MINTO.

No. 23.

Mr. Tower to the Marquess of Salisbury.—(Received May 11.)

(No. 127.)

My Lord,

Washington, April 29, 1899.

I HAVE the honour to report that, in compliance with the instructions contained in your Lordship's telegram No. 68 of this day's date, I have communicated to the United States' Secretary of State the Minute of the Canadian Privy Council, dated the 30th March, containing the expression of the views of the Canadian Government upon the proposals made by the United States' Government for establishing a provisional boundary-line in the vicinity of the Lynn Canal.

I have, &c.
(Signed) REGINALD TOWER.

No. 24.

The Marquess of Salisbury to Mr. Tower.

(No. 70.)

(Telegraphic.) P.

Foreign Office, May 11, 1899.

REFERRING to your telegram No. 46 of the 5th instant.

You should inform Mr. Hay that Her Majesty's Government learn with regret that the establishment of a military post at Pyramid Harbour is contemplated by the United States' Government. Such an event would disturb the *status quo* with regard to the occupation of the territories in the region of the Lynn Canal, and is, at a moment when negotiations are proceeding for a *modus vivendi*, and for referring the Alaska boundary question to arbitration, all the more to be deprecated.

You should remind the Secretary of State that all the waters and shores of the Lynn Canal more than 30 miles from the ocean are claimed as British territory, and you should express the hope of Her Majesty's Government that, as Pyramid Harbour is beyond that limit, the decision on this point will be suspended, at all events for the present.

No. 25.

Mr. Tower to the Marquess of Salisbury.—(Received May 13.)

(No. 135. Secret.)

My Lord,

Washington, May 4, 1899.

REFERRING to my despatches Nos. 124 and 127 of the 28th and 29th ultimo respectively, upon the question of a provisional boundary in the region of the Lynn Canal and British Columbian Mining Laws, I have the honour to report that the United States' Secretary of State again alluded this morning to the serious conditions of affairs in the territory under dispute, owing to the presence of the American miners.

Mr. Hay pressed that some temporary *modus vivendi* should be agreed upon, and suggested that a line be drawn north of the village of Klukwan, which, he said, had

always been under American protection—such a line to be without prejudice to any future settlement.

He urged that the operation of the British Columbian Mining Laws should be, at least provisionally, suspended in the disputed territory.

I informed Mr. Hay verbally of the substance of the telegram from the Governor-General (which was repeated to your Lordship in my telegram No. 45 of the 27th instant), expressing the opinion that the United States' Government had received an incorrect impression of the condition of affairs in the region of the Lynn Canal; and that no ground of difficulty existed, particularly since no further advance had been made by Canada since last year.

Mr. Hay said that he had furnished the United States' Ambassador in London with instructions to speak to your Lordship on the subject of arbitration, but felt that no time should be lost in bringing about a temporary *modus vivendi*, in order to avoid the possibility of conflict.

(Secret.)

Mr. Hay told me, though he begged that he should not be quoted as saying so, that the President was so anxious for a settlement, that the United States' Government would be prepared to agree upon a form of arbitration for the whole frontier, even at the risk of possible objection from Congress.

He thought, however, that an Arbitral Tribunal, composed of three members from either side, ought to be able to arrive at a unanimous conclusion.

I informed Mr. Hay that your Lordship had promised to furnish me with instructions on the subject of the British Columbian Mining Laws (see your Lordship's telegram No. 68 of the 29th instant), and that I should then have the honour of addressing him further on the subject.

I have, &c.

(Signed) REGINALD TOWER.

No. 26.

Colonial Office to Foreign Office.—(Received May 13.)

(Secret.)

Sir,

Downing Street, May 13, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, the accompanying paraphrase of a telegram to the Governor-General of Canada on the subject of the Alaska question.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure in No. 26.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Very Secret.)

(Telegraphic.) P.

ALASKA question.

Downing Street, May 12, 1899.

Her Majesty's Government, recognizing the great desire of your Ministers and the immense importance of finding a solution so that the Commission may proceed to a settlement of the other matters intrusted to it, wish to know whether your Ministers would accept the following terms if the United States could be induced to agree to them.

Her Majesty's Government do not know whether it would be possible to obtain them, but would make the attempt; and in view of the settled occupation of Dyea and Skagway, and the fact that Canada took no action and made no protest at the time, they are convinced that the terms proposed are the utmost that can be secured. Should this be refused they fear that no settlement is possible, and there will be no further meeting of the Commission.

The terms would be as follows :—

Arbitration on the basis of the Venezuelan Treaty, with the following modifications :—

Seven Arbitrators instead of five, and these words to be added to Article IV, Rule C :

“ And whereas the Settlements of Pyea and Skagway, situated in the region of the Lynn Canal, are now in the occupation and under the jurisdiction of the United States, it is agreed by the High Contracting Parties that, if it shall be found by the Tribunal that those Settlements are situated within territory belonging of right to Great Britain, they shall come within the operation of this Rule, and be and remain in the occupation, and within the territory, and under the jurisdiction of the United States.”

No. 27.

The Marquess of Salisbury to Mr. Choate.

Your Excellency,

Foreign Office, May 13, 1899.

AT the interview which I had the honour to hold with you on the 3rd instant, your Excellency stated, on the assumption that, for the present at least, the difference of view between our two Governments concerning the Alaska boundary was final, and could not be adjusted by direct negotiation, that you were desirous to impress on me that there were ~~ten~~ other matters before the Joint High Commission upon which agreement did not seem to be out of the question, but that the way was absolutely blocked by the irreconcilable divergence of view which had shown itself in regard to the boundary dispute.

If an arbitration could be arranged it would be an issue very satisfactory to the President, but the views of the Commissioners as to the conditions on which an arbitration could be set up were almost as divergent as their views with respect to the matter itself in dispute; and while you would be very glad to see a proposition which might have the effect of referring this controversy to arbitration, you looked with more hope to some arrangement by which the Alaska controversy should be separated from the rest and the negotiations be allowed to go on, if possible, to agreement on the other ten matters, leaving the boundary question for subsequent discussion.

I replied that generally, of course, Her Majesty's Government were very anxious that these differences of opinion between the two countries should be adjusted, and that they would be very glad if any means of accelerating that result could be devised. I thought it possible that the Canadian Government would look upon the questions referred to the Commission as practically indivisible and would shrink from leaving the Alaska difficulty, which was the most important and urgent difficulty, unsettled, while an agreement was come to about the rest.

For it was obvious that if an agreement had appeared probable in any of these negotiations it might have been, to a great extent, because of the hope that by concession on these points the great boundary controversy could be brought to a close.

I promised to ascertain the views of the Colonial Office and of the Canadian Government, and the substance of your Excellency's communication was accordingly telegraphed to the Governor-General of Canada, who has replied that his Ministers can see no reason why the Alaska boundary question should not be referred to arbitration at once on the lines of the Treaty for the settlement of the dispute with Venezuela, and that they are ready to proceed with the other matters at issue as soon as an agreement for arbitration has been arrived at.

Although Her Majesty's Government have been disposed to believe that the Alaska boundary could best be dealt with in connection with a comprehensive adjustment of outstanding questions, they are quite willing, in view of the difficulties which have presented themselves, to refer the boundary dispute to arbitration, and they trust that the United States' Government on their part will now agree either to an equitable adjustment of the matter or to its reference to arbitration generally on the lines proposed by the British Commissioners and accepted by both Governments in the case of the dispute as to the boundary of British Guiana.

I have, &c.

(Signed) SALISBURY.

No. 28.

Colonial Office to Foreign Office.—(Received May 15.)

(Confidential.)

Sir,

Downing Street, May 13, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 3th instant, respecting the suggestion of the Canadian Government that the consideration of the question of a modification of the Clayton-Bulwer arrangement affords a favourable opportunity for urging upon the United States' Government the reference to arbitration of the Alaska boundary question and the exemption of Canadian trade with Porto Rico from the operation of the United States' Coasting Laws.

2. Mr. Chamberlain is aware, from the correspondence to which reference is made in your letter, that the United States' Government would not consent to deal in the proposed Treaty modifying the Clayton-Bulwer arrangement with any other question than that of the Inter-oceanic Canal; but he wishes to point out that the wish of the Canadian Government, which he desires to support, is not that questions of the United States' Coasting Laws and of the Alaska boundary should be dealt with in the Nicaragua Canal instrument, but that the negotiations on these questions should proceed *pari passu* with that as to the Canal, so as to secure from the United States, in return for the concessions demanded in connection with the Canal, a reasonable adjustment of the other questions.

I am, &c.

(Signed) H. BERTRAM COX.

No. 29.

Colonial Office to Foreign Office.—(Received May 17.)

(Confidential.)

Sir,

Downing Street, May 16, 1899.

WITH reference to the letter from this Office of the 13th instant, I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, paraphrases of two telegrams received from the Governor-General of Canada, respecting the suggestions of Her Majesty's Government as to the terms on which the reference of the Alaska boundary question to arbitration might be proposed to the United States' Government.

2. Mr. Chamberlain presumes that Lord Salisbury will cause the views of the Dominion Government, as expressed in the later of these telegrams, to be communicated to the Government of the United States.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure 1 in No. 29.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

(Received May 14, 1899, 10.25 A.M.)

YOUR telegram of the 12th instant, Very Secret.

Suggestions submitted to my Ministers. I think it best to inform you, in anticipation of their reply, that, from private conversation to-day with my Premier, I feel sure that the proposed alteration of Article IV, clause C, will not be accepted if there is any risk of the operation of the Rule extending to Pyramid Harbour, as well as to Skagway and Dyea. Premier insists on the necessity of retaining for Canada some harbour on the Lynn Inlet. I think he might agree to proposed suggestion as to towns of Skagway and Dyea if the retention of Pyramid Harbour for Canada could be bargained for. I do not apprehend that the increase in the number of Arbitrators will meet with any objection.

Inclosure 2 in No. 29.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

(Received May 14, 1899, 4.50 P.M.)

ALASKA boundary: Your telegram of 12th May.

The proposed modifications of the conditions of the Venezuela precedent involve concessions to the United States without any compensation, and my Ministers are, therefore, unable to accept them. They would agree to modifications which would provide for a fair compromise, and think the following would be reasonable:—

“If Dyea and Skagway are found, as the result of Award of Arbitrators, to be within the territory of Great Britain, both places will be and remain in the occupation, and within the territory, and under the jurisdiction of the United States. If Pyramid Harbour is found to be within the territory of the United States, it will be and remain in the occupation, and within the territory, and under the jurisdiction of Great Britain.”

Acts of occupation and possession in those remote regions could and did take place without any knowledge of them reaching Canada, and it is therefore impossible to invoke the failure of the Dominion to protest.

My Ministers urge that if this compromise is refused the United States can offer no valid reason against arbitration on terms of Venezuelan precedent, and an immediate reference to arbitration should be strongly pressed. There are strong objections to more than three Arbitrators, but the number is not absolutely material.

No. 30.

Mr. Tower to the Marquess of Salisbury.—(Received May 17.)

(No. 47.)

(Telegraphic.) P.

Washington, May 17, 1899.

ALASKA boundary: Your Lordship's telegram No. 70 of the 11th instant.

Mr. Hay informed me to-day verbally that the United States' Government have decided to send no troops for the present to Pyramid Harbour on the Chilkat inlet.

Mr. Hay promised to address me an official note to-morrow on the subject.

No. 31.

The Marquess of Salisbury to Mr. Tower.

(No. 71. Confidential.)

(Telegraphic.)

Foreign Office, May 17, 1899.

INFORMAL negotiations respecting Alaska boundary have taken place between Sir J. Pauncefote and United States' Ambassador.

It was suggested that to Rule 6 of the draft Treaty, proposed by the British Commissioners (see Inclosure 10 in Lord Herschell's No. 2), the following should be added:—

“And whereas the Settlements of Dyea and Skagway, situated in the region of the Lynn Canal, are now in the occupation and under the jurisdiction of the United States, it is agreed by the High Contracting Parties that, if it shall be found by the Tribunal that those Settlements are situated within territory belonging of right to Great Britain, they shall come within the operation of this Rule, and be and remain in the occupation, and within the territory, and under the jurisdiction of the United States.”

Her Majesty's Government, after careful consideration and consultation with Canadian Government, are unable to accept this wording, and would propose, as a fair and reasonable compromise, that the addition to the Rule should run as follows:—

“If Dyea and Skagway are found, as the result of Award of Arbitrators, to be within the territory of Great Britain, both places will be and remain in the occupation, and within the territory, and under the jurisdiction of the United States. If Pyramid

Harbour is found to be within the territory of the United States, it will be and remain in the occupation, and within the territory, and under the jurisdiction of Great Britain."

You are authorized to make an official communication accordingly to the Secretary of State.

No. 32.

The Marquess of Salisbury to Mr. Choate.

My dear Ambassador,

Foreign Office, May 17, 1899.

SIR JULIAN PAUNCEFOTE duly reported to me the communications which passed between your Excellency and himself respecting the reference to arbitration of the Alaska boundary question.

The result of your negotiations was a proposal that, besides the Rules in the draft Treaty, drawn up by the British Commissioners at Washington, provision should be made that, in the event of the Tribunal of Arbitration finding that the Settlements of Dyea and Skagway are situated within territory belonging of right to Great Britain, those Settlements shall come within the operation of Rule C, and be and remain in the occupation, and within the territory, and under the jurisdiction of the United States.

I have the honour to inform your Excellency that Her Majesty's Government, after consultation with the Canadian Government, and careful consideration, feel unable to accept this arrangement.

They would, however, be prepared to accept, as a fair and reasonable compromise, that the addition to the Rules should run as follows:—

"If Dyea and Skagway are found, as the result of the Award of the Arbitrators, to be within the territory of Great Britain, both places will be and remain in the occupation, and within the territory, and under the jurisdiction of the United States. If Pyramid Harbour is found to be within the territory of the United States, it will be and remain in the occupation, and within the territory, and under the jurisdiction of Great Britain."

Mr. Tower, Her Majesty's Chargé d'Affaires at Washington, has been instructed by telegraph to make an official communication in this sense to Mr. Hay.

I remain, &c.

(Signed) SALISBURY.

No. 33.

Mr. Choate to the Marquess of Salisbury.—(Received May 19.)

My dear Lord Salisbury,

American Embassy, London, May 19, 1899.

AFTER my reply of yesterday to your Lordship's note of the 13th, received on the 15th, had been prepared, I received your Lordship's letter of the 17th, which caused me much disappointment and regret, because it sets at naught the whole negotiation had between Sir Julian Pauncefote and myself, with the full approval, as I had supposed, of your Lordship, and puts an entirely new aspect upon the situation. Let me say, in passing, that the result of those negotiations was not understood between Sir Julian and myself to be a proposal on either side, but rather a suggestion of what we could fairly recommend to our respective Governments, and which, if I should find acceptable to my Government, would eventuate in a proposal from that of Her Majesty.

Your Lordship's letter does not disclose the grounds or reasons upon which the new proposition is based: that if Pyramid Harbour is found to be within the territory of the United States, it should be and remain within the territory and under the jurisdiction of Great Britain.

The proposition that if Dyea and Skagway are found, as the result of the Award of the Arbitrators, to be within territory belonging of right to Great Britain, they should come within the operation of Rule C, and be and remain in the occupation, and within the territory, and under the jurisdiction of the United States, was based upon the obvious and impregnable ground that these Settlements had been built and

established under the authority and within the jurisdiction of the United States, and valuable interests created there without a word of protest or objection from either the British or Canadian Government, and upon territory to which no adverse claim had been presented by either of them to the United States, prior, at least, to the signature of the Protocol of May 1898, by which the High Joint Commission was created.

I am not, however, aware that at Pyramid Harbour any town has been built or Settlement established by either British or Canadian subjects, or any interests or industries created, the protection of which would afford any reason, in justice or equity, why that place, if found to be within the territory of the United States, should be set over to Great Britain.

I am, therefore, unable to see any correlation or reciprocity in these two propositions, and at a loss to understand the reasons for the new proposition contained in your letter; but have transmitted its exact terms by cable to my Government, and shall await its instructions with great interest and some solicitude.

With the fullest confidence in your Lordship's desire for an amicable and mutually satisfactory adjustment of this difficult question, I shall hope, after further instructions, which I await, to resume the consideration of it with you personally.

Yours very truly,
(Signed) JOSEPH H. CHOATE.

No. 34.

Colonial Office to Foreign Office.—(Received May 19.)

(Confidential.)

Sir,

Downing Street, May 19, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 18th instant, a paraphrase of a telegram to the Earl of Minto on the subject of the proposals of Her Majesty's Government for the reference of the Alaska question to arbitration.

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure in No. 34.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Telegraphic.) P.

Downing Street, May 18, 1899, 6:50 P.M.

BRITISH Chargé d'Affaires at Washington has been instructed to submit to the United States' Government the proposals of your Ministers as to the Alaska boundary contained in your telegram of the 14th instant.

No. 35.

Mr. Choate to the Marquess of Salisbury.—(Received May 20.)

My Lord,

American Embassy, London, May 18, 1899.

I HAVE the honour to acknowledge the receipt on the 15th instant of your Lordship's letter of the 13th in regard to a disposition of the Alaskan boundary question in some way which should remove it as an obstacle to the completion of the labours of the Joint High Commission on the other questions submitted to it.

I did not, in our interview of the 3rd instant, mean to be understood as assuming that the difference of view between our two Governments concerning the Alaskan boundary could not be adjusted by direct negotiation, for I am of opinion that, in view of the friendly feeling now prevailing between the two nations, almost any question could be so settled; and in fact, as I am instructed, the last proposition made by the American Commissioners before the adjournment of the Commission was to remit this important question to the two Governments for further negotiation and diplomatic settlement, and to take up the other questions and formulate a Treaty

Agreement respecting them, which proposition was rejected, and the Commission adjourned.

I was, however, most strenuous in pressing upon your Lordship the earnest desire of the President that in some way or other this question, on which the difference in the Commission was irreconcilable, should be amicably and satisfactorily adjusted so that the Commission could reconvene with a reasonable prospect of completing the rest of the work.

It is now very gratifying to learn that Her Majesty's Government is willing, in view of the impracticability of the Alaskan boundary question being settled by the Commission, to refer it to arbitration, and that the Ministers of the Governor-General of Canada can see no objection to this course. I immediately reported to my Government, by cable, the last two paragraphs of your Lordship's letter which stated those facts, and had hoped before replying to receive further instructions from Washington on the subject, but the temporary absence of the President from the capital probably occasions a little delay.

I do not understand from your letter that either your Lordship or the Canadian authorities, by proposing an arbitration "generally on the lines" of the Venezuela Treaty, will insist upon applying rigidly to this proposed arbitration the identical terms of that Treaty, especially since the exact proposition was made in the Commission by the British Commissioners and rejected by ours on grounds which seemed to them and to our Government conclusive.

The two principal grounds of objection were as to the method of constituting the proposed Arbitral Tribunal, and the provision as to the effect of actual settlement upon the rights of the parties. The American Commissioners were of the opinion that an Arbitral Tribunal, consisting of an equal number of jurists appointed by each side, and who should decide by a majority vote, somewhat similar to the Arbitral Tribunal provided for in the General Arbitration Treaty of Venezuela between the two Governments would be a most competent Tribunal to dispose of such a question as is here involved, and would be far more satisfactory than such a one as that constituted by the Venezuela Treaty: and that the United States should not be called upon to submit to any arbitration its right to hold the territory upon which under its authority cities and towns have been built, and valuable interests and industries established without protest or objection from either Her Majesty's Government or the Canadian authorities.

On these two points the views of the British and American Commissioners appear to have been irreconcilable, and the hope that by mutual concessions we may be able to agree upon terms of arbitration mutually satisfactory will be most gratifying to the President.

The alternative suggestion in your letter of an "equitable adjustment of the matter," meaning, I assume, of the boundary itself, has not yet been made the subject of instructions to me, but you may rest assured that it will not be overlooked by the Secretary of State.

On hearing from him I shall take the liberty of asking for a further interview.

I have, &c.

(Signed) JOSEPH H. CHOATE.

No. 36.

Colonial Office to Foreign Office.—(Received May 20.)

(Confidential.)

Sir,

Downing Street, May 20, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 18th instant, a paraphrase of a telegram to the Governor-General of Canada on the subject of the di-patch of United States' troops to Pyramid Harbour.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure in No. 36.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Telegraphic.) P.

Downing Street, May 19, 1899, 2.45 P.M.

REFERRING to my telegram of the 13th instant, British Chargé d'Affaires has been verbally informed by United States' Secretary of State that no troops will be sent to Pyramid Harbour at present.

No. 37.

Mr. Tower to the Marquess of Salisbury.—(Received May 20.)

(No. 49.)

(Telegraphic.) P.

Washington, May 20, 1899.

I HAVE received a reply from the United States' Secretary of State to my note based upon the instructions contained in your Lordship's telegram No. 71. The following is the substance of Mr. Hay's note:—

The United States' Ambassador in London inquired on the 13th instant whether a scheme of arbitration, if put forward by Her Majesty's Government, would be acceptable to the United States' Government upon the terms of the proposed addition to Rule C of the draft Treaty submitted in February last by the British Commissioners, which addition was quoted in the earlier portion of your Lordship's above-mentioned telegram beginning with the words "and whereas the Settlements" to the words "jurisdiction of the United States."

Mr. Hay states that, after consideration and consultation with the United States' members of the Joint Commission, it had been decided by the President that "the suggested scheme of arbitration, although involving considerable concessions on our part, would be accepted as a measure of settlement."

Mr. Hay was about to instruct the United States' Ambassador of this decision, when the proposal of Her Majesty's Government in regard to Pyramid Harbour was communicated to him by me.

He expresses his regret at not being able to share the opinion of Her Majesty's Government that the new proposal constitutes a fair and reasonable compromise between the views entertained by the two Governments, adding that "it changes so completely the terms recently suggested as to render the entire proposition unacceptable."

I am informed that the above has been communicated by Mr. Hay to the United States' Ambassador.

No. 38.

Mr. Tower to the Marquess of Salisbury.—(Received May 20.)

(No. 50.)

(Telegraphic.) P.

Washington, May 20, 1899.

WITH reference to my telegram No. 47 of the 17th instant. The official reply from the Secretary of State has been received to-day. I shall forward copy by mail.

Mr. Hay states that the order for one company to proceed to Pyramid Harbour was given solely to prevent a possibility of collision between Canadian police and border Indians on the one hand, and United States' citizens on the other.

In reply to the assertion that Pyramid Harbour is more than 30 miles from the ocean, the Secretary of State states that it is on tide water, and more than 30 miles within the boundary claimed by the United States' Government.

It has been decided in view of negotiations pending, to suspend for the present the dispatch of troops to that locality, but Mr. Hay points out the necessity of not leaving the wild region to the danger of possible collisions, and adds that his Government would not be justified in failing to take such measures as may seem to be required to preserve order in that district and prevent disturbances.

The President hopes that a solution, first of the question of a *modus vivendi*, and afterwards of that of a permanent boundary may speedily be reached on terms alike honourable and satisfactory to both Governments.

Governor-General of Canada informed of suspension for the present of dispatch of troops.

No. 39.

The Marquess of Salisbury to Mr. Tower.

(No. 119.)

Sir,

Foreign Office, May 20, 1899.

THE United States' Ambassador informed me to-day that he had reported to Washington the proposal, with regard to the Alaska boundary, which you were authorized to make to the United States' Government in my telegram No. 71 of the 17th instant, and had now received a reply from Mr. Hay.

Mr. Hay stated that His Excellency's previous despatch of the 12th instant, reporting the result of discussions with Sir J. Pauncefoot, had received the serious consideration of the President and the Department of State, and that after consultation with the members of the International Commission it had been decided that the suggested scheme of arbitration set forth therein, although involving considerable concessions on the part of the United States, should be accepted as a measure of settlement. Yesterday, however, Mr. Hay had received your note, written after the Canadian Government had been consulted, in which the modification mentioned in Mr. Choate's later telegram was proposed.

This new proposition, changing so completely the terms embraced in Mr. Choate's despatch of the 12th, was wholly unacceptable. It was equivalent to saying that if the decision of the Arbitrators was against the British claim, Great Britain was to have a port on the United States' coast, and that if it was favourable she was to have the coast itself. If the United States' Government were ready to consider such a proposition as this, no arbitration would be necessary.

Mr. Hay added that he need not say how deeply the President regretted this unexpected result.

I am, &c.

(Signed) SALISBURY.

No. 40.

Mr. Tower to the Marquess of Salisbury.—(Received May 22.)

(No. 141.)

My Lord,

Washington, May 12, 1899.

I HAVE the honour to report that on the 10th instant an article appeared in the Washington press entitled "Joint Commission given up. No prospect of an agreement on the Alaska Boundary."

This article, which has been extensively reproduced, is attracting much attention.

It states that "it has now been demonstrated that the temper of neither side has yielded sufficiently to warrant the expectation of any successful result attending the reconvention of the Commission."

Discussing the negotiations for a provisional *modus vivendi* on the boundary question, the article continues, "Little or no progress is being made, and it is said our officials are thoroughly discouraged at the time-consuming manner in which the various propositions that have been put forward are bandied back and forth between London and Ottawa."

In the course of conversation yesterday with Mr. Hay, I alluded to the above statements.

He replied that the report of the abandonment of the Joint High Commission was only guess-work, but that he could not disguise his feeling of discouragement at the failure of an issue, and particularly at the prolonged delay in the exchange of views on the Alaska question.

Mr. Hay went over the ground covered by the Commission, and referred to an article recently published in London in the "Daily Chronicle," a summary of which has been telegraphed here, which throws the blame of the non-result of the negotiations on the United States' Commissioners.

This charge, he said, was unfounded. As proof of this, he quoted the "liberality" of the pecuniary offer by the United States for the Behring Sea industry, the reduction on lumber, the concessions on mining products, and the willingness to make reasonable settlement on the Alaska boundary question.

Mr. Hay repeated what he had previously told me of the earnest desire of the President to come to an agreement on all the outstanding questions. He stated, however, that the majority of the United States' Commissioners were averse to the reconvention of the Joint Commission until some arrangement should have been previously come to between the two Governments on the Alaska boundary.

In the press of last evening, and again in this day's papers, an article has appeared, repeating in categorical terms the sentiments expressed by Mr. Hay.

A copy of this article is annexed.

I have, &c.
(Signed) REGINALD TOWER.

Inclosure 1 in No. 40.

Extract from the "Washington Evening Star" of May 11, 1899.

THE statements of the press of London and Canada respecting the reasons for the recent failure of the negotiations with Canada have occasioned much surprise in the official world of Washington. These statements assume that the Canadians made all the offers of concessions, the United States' Commissioners' standing by existing conditions. The facts, as understood here, are directly to the contrary. There are certain facts which tend to contradict the statements of the British press, which are now made known for the first time.

Take the question of trade with Canada for example. It is positively known that the Americans offered absolute free trade in mineral products, an enlargement of the free list of forest products; an important concession in duty on lumber and on most agricultural products. It is also known that they offered liberal terms for the adjustment of the Behring Sea sealing question, and offered an amicable method for the adjustment of the boundary question, yielded to Canada's views in respect to alien labour and to the lake fisheries, and offered reciprocal mining privileges.

Indeed, if the opinion in well-informed circles here is well founded, nearly every offer of concession came from the United States, the Canadians as a rule declining to commit themselves to any distinct proposition on the foregoing topics, the Alaska boundary excepted. In fact, it is universally believed here that the distinct offer of concessions for a settlement came almost wholly from the United States' Commissioners.

Inclosure 2 in No. 40.

Extract from the "New York Tribune" of May 12, 1899.

THE statements of the press of London and Canada respecting the reasons for the recent failure of the negotiations with Canada have occasioned much surprise in the official world of Washington. These statements assume that the Canadians made all the offers of concessions, the United States' Commissioners standing by existing conditions. The facts, as understood here, are directly contrary to that view. There are certain facts tending to contradict the statements of the British press, which the Associated Press is now able to make known for the first time.

In regard to the question of trade with Canada, it is positively known that the Americans offered absolute free trade in mineral products, an enlargement of the free list of forest products, an important concession of duty on lumber and on most agricultural products. It is also known that they offered liberal terms for the adjustment of the Behring Sea sealing question, and an amicable method for the settlement of the boundary question, yielded to Canada's views in respect to alien labour and the lake fisheries, and offered reciprocal mining privileges. Indeed, if the opinion in well-informed circles here is correct, nearly every offer of concessions proceeded from the side of the United States, the Canadians as a rule declining to commit themselves to any distinct proposition on the foregoing topics, the Alaskan boundary excepted. In fact, it is universally believed at Washington that the distinct offer of concessions for a settlement came almost wholly from the United States' Commissioners.

No. 41.

Mr. Tower to the Marquess of Salisbury.—(Received May 22.)

(No 142.)

My Lord,

Washington, May 12, 1899.

I HAVE the honour to report that, upon receipt of your Lordship's telegram No. 70 of yesterday's date, I have this day addressed a note to the United States' Secretary of State, informing him of the views of Her Majesty's Government upon the action of the United States in establishing a military post at Pyramid Harbour.

I inclose a copy of my note herewith.

I have, &c.

(Signed) REGINALD TOWER.

Inclosure in No. 41.

Mr. Tower to Mr. Hay.

Sir,

Washington, May 12, 1899.

I HAVE the honour to inform you that the intelligence that the United States' Government contemplate the establishment of a military post at Pyramid Harbour on the Chilkat inlet has been received by my Government with regret.

They consider that the *status quo* in regard to the occupation of territories in the region of the Lynn Canal would be disturbed thereby, and that this is the more to be deprecated at the present time, when the two Governments are proceeding with negotiations for a *modus vivendi* and for a reference to arbitration of the Alaska boundary question.

I am instructed by the Marquess of Salisbury to recall to your attention the fact that Her Majesty's Government claim as British territory all the waters and shores of the Lynn Canal which are more than 30 miles from the ocean, and I am to state that, as the distance of Pyramid Harbour from the ocean is more than 30 miles, Her Majesty's Government trust that, for the present at least, your Government will suspend any action of the nature of that which is now contemplated.

I have, &c.

(Signed) REGINALD TOWER.

No. 42.

Colonial Office to Foreign Office.—(Received May 22.)

Sir,

Downing Street, May 20, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from this Department of the 10th instant, a copy of a despatch from the Earl of Minto on the subject of the Alaska boundary question, and the conditions in which the Canadian Government would consent to the reassembling of the Joint Commission.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure in No. 42.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Secret.)

Sir,

Government House, Ottawa, May 5, 1899.

I HAVE the honour to inform you that I have to-day had a conversation with my Premier in reference to your cypher cable of the 4th May, informing me of the hope of the President of the United States "that something might be done to bring about an agreement before the day to which the Commission adjourned," and "that negotiations

should proceed on all the questions referred to the Commission other than the Alaskan boundary, leaving that question for future discussion."

3. Sir Wilfrid Laurier tells me that, after careful consideration, the Canadian Commissioners cannot see their way to reassembling until it has been agreed to refer the Alaskan boundary question to arbitration on the lines of the Venezuela Arbitration. The adjournment of the Commission was due to the impossibility of coming to such an agreement, and my Ministers consider that, until such an agreement is reached, it would not be advisable for the Commission to meet.

3. Sir Wilfrid Laurier pointed out to me that though, in his opinion, other matters which were before the Commission could stand over, the settlement of the Alaskan boundary is one of vast importance, which requires to be immediately dealt with, and cannot be safely left in abeyance. That it affects large pecuniary interests in territories which have been only partially explored, and that there will in future be the risk of dangerous friction between Canada and the United States if the present undefined condition of the Alaskan frontier is allowed to continue.

4. Sir Wilfrid also considers that in insisting in the first place on the settlement of the Alaskan boundary, he is strengthening his hands in regard to other points in consideration between Canada and the United States.

5. Besides my conversation to-day with Sir Wilfrid Laurier, I have frequently discussed the Alaskan boundary question with him in reference to the reassembling of the Commission, and on each occasion he has informed me decidedly that he cannot consider the possibility of reassembling except on the conditions to which I have referred.

I have, &c.
(Signed) MINTO.

No. 43.

Colonial Office to Foreign Office.—(Received May 23.)

(Confidential.)

Sir,

Downing Street, May 22, 1899.

I AM directed by Mr. Secretary Chamberlain to request you to inform the Marquess of Salisbury that he has had before him your letter of the 15th instant, covering copy of a letter from Her Majesty's Chargé d'Affaires at Washington, transmitting a Report by the United States' Consul at Victoria on the subject of the British Columbian mining laws.

It appears from the last paragraph of this Report that the reciprocity of treatment granted to Canada by the existing United States' mining law is illusory. The law of the Dominion only concedes to United States' citizens the right of leasing mineral lands; and as the United States' law does not allow this right even to United States' citizens, and, therefore, cannot allow it to Canadians, it follows that the latter cannot obtain mining rights in Alaska at all.

Thus the British Columbian legislation to which the United States' Government have taken exception does no more than impose openly on United States' citizens the same disability to which Canadians are subjected in practice by the existing United States' law; and it would, in Mr. Chamberlain's opinion, be impossible for Her Majesty's Government to urge upon the Dominion Government the suspension of the British Columbian law, except on satisfactory assurances that real equality of treatment in United States' territories will be accorded to Canadians.

Such equality could not be secured by anything short of the amendment of the Alaska Government Bill suggested in the inclosure to the letter from this Office of the 28th ultimo.

I inclose a copy of a despatch just received from the Governor-General, inclosing copy of a communication which he has addressed to Mr. Tower on the subject of the Petition to the President of the United States from United States' miners in the Atlin district.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure 1 in No. 43.

*Governor-General the Earl of Minto to Mr. Chamberlain.*Sir, *Government House, Ottawa, May 5, 1899.*

WITH reference to my despatch No. 75 of the 14th ultimo forwarding copy of a despatch from Her Majesty's Ambassador at Washington, on the subject of a Petition from United States' citizens resident in British Columbia, in regard to recent mining legislation of the province, I have the honour to inclose for your information copy of a despatch upon the same subject which I have addressed to Her Majesty's Chargé d'Affaires at Washington.

I have, &c.
(Signed) MINTO.

Inclosure 2 in No. 43.

*Governor-General the Earl of Minto to Mr. Tower.*Sir, *Government House, Ottawa, May 5, 1899.*

I REFERRED to my Ministers for consideration a copy of the Ambassador's despatch No. 23 of the 7th ultimo, with its inclosures, setting forth the grievance of United States' citizens in the Atlin district of British Columbia, in respect of recent mining legislation of that province, and I have now the honour to transmit to you herewith a copy of an approved Minute of the Privy Council for Canada dealing with the subject.

You will observe that my Minister of Justice has not yet had an opportunity of considering the legislation complained of, the British Columbian Statutes of last Session not having reached his Department, but that in the meantime the Lieutenant-Governor of the province has been asked for an expression of his views on the matter.

I have, &c.
(Signed) MINTO.

Inclosure 3 in No. 43.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 2nd May, 1899.

THE Committee of the Privy Council have had under consideration a copy of a despatch, hereto attached, dated the 7th April, 1899, from Her Majesty's Ambassador at Washington, transmitting a copy of a note received by him from the United States' Secretary of State, inclosing copy of a Petition to the President of the United States from the United States' citizens resident in the Atlin district of British Columbia representing the hardship to their interests of recent mining legislation of that province.

The Minister of Justice, to whom the matter was referred, states that the British Columbia Statutes of the last Session have not yet been received at the Department of Justice, and he is not at present in a position to express an opinion upon the merits of the application set forth in the Petition.

The Committee, on the recommendation of the Minister of Justice, advise that your Excellency be moved to forward a copy of the document above mentioned to the Lieutenant-Governor of British Columbia, for his observations, with a view of further consideration of the matter by His Excellency's Government, and also that the British Ambassador be informed that this course has in the meantime been taken.

All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

No. 44.

Colonial Office to Foreign Office.—(Received May 23.)

(Confidential.)

Sir,

Downing Street, May 22, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 15th instant, covering copy of a despatch from Mr. Tower respecting the question of a provisional boundary in the region of the Lynn Canal.

I am to request you to refer the Marquess of Salisbury to the letter from this Office of the 16th instant, covering the paraphrase of a telegram from the Governor-General of Canada, giving the views of his Ministers as to the terms on which arbitration on the Alaska question might be proposed to the United States' Government; and I am to point out that, as his Lordship is aware from the letter from this Office of the 28th ultimo, the Dominion Government is not prepared to accept any provisional boundary on the Chilkat Pass, except as part of an agreement for the reference of the whole question to arbitration.

If such an arrangement could be made it appears that the settlement of a provisional line would present no difficulty, as the village of Klukwan referred to by the United States' Secretary of State is just below the junction of the Klekini and Chilkat Rivers which the Dominion Government would be prepared to accept as part of such an Agreement. (See Lord Minto's letter to Sir Julian Pauncefoot of the 25th ultimo, copy of which accompanied your letter of the 12th instant.)

I am to add that, pending the receipt of a reply from the United States' Government to the proposals of Her Majesty's Government as to the conditions under which arbitration should take place, Mr. Chamberlain proposes to defer communicating Mr. Tower's despatch to the Governor-General.

I am, &c.

(Signed) H. BERTRAM COX.

No. 45.

Mr. Tower to the Marquess of Salisbury.—(Received May 27.)

(No. 148. Confidential.)

My Lord,

Washington, May 16, 1899.

I HAVE the honour to report that Senator Fairbanks, Chairman of the American Delegation on the Joint High Commission for the settlement of questions at issue between Canada and the United States, is on the point of starting on a trip to Alaska "for the purpose of personally investigating the boundary question."

I learn, on excellent authority, that Mr. Fairbanks intends to leave early in June and to pass some weeks in visiting Sitka and ports on the Lynn Canal.

Though it is not to be anticipated that much light will be thrown on the points in dispute by Senator Fairbanks' personal investigations, the matter appears worthy of being noticed from the fact that he will be thrown in immediate contact with the representatives of the shipping and other interests on the Pacific Coast. His further attitude, whether on the Commission or in the Senate, may possibly be influenced by those local considerations which prompted the West to protest last autumn against the rumoured proposal for a solution of the boundary question by admitting Canada to a port on the Lynn Canal, either permanently or by the expedient of bonding privileges or harbour facilities.

I have, &c.

(Signed) REGINALD TOWER.

No. 46.

Mr. Tower to the Marquess of Salisbury.—(Received May 27.)

(No. 149.)

My Lord,

Washington, May 18, 1899.

I HAVE the honour to report that, in compliance with the instructions contained in your Lordship's telegram No. 71, Confidential, of the 17th instant, I addressed a note to the United States' Secretary of State this day, copy of which is inclosed, communicating the proposal of Her Majesty's Government as an addition to Rule C of the draft Treaty proposed by the British Commissioners in February last, for the arbitration of the Alaska boundary question.

In conversation to-day Mr. Hay informed me that he had received a Report from the United States' Ambassador in London, in the sense of the suggested addition to Rule C dealing with Dyea and Skagway alone, which your Lordship communicated to me in the earlier portion of your telegram above referred to.

I have, &c.

(Signed)

REGINALD TOWER.

Inclosure in No. 46.

Mr. Tower to Mr. Hay.

Sir,

Washington, May 18, 1899.

I HAVE the honour to inform you that, as a result of informal negotiations concerning the delimitation of the Alaska boundary which have taken place in London between Sir Julian Pauncefote and the United States' Ambassador, that Her Majesty's Government have taken into their careful consideration the proposals made, and have been in consultation with the Government of Canada thereon.

I am now authorized by the Marquess of Salisbury to submit, for the favourable consideration of your Government, the subjoined addition to Rule C of the draft Treaty proposed by the British Commissioners in February last.

This, in the opinion of Her Majesty's Government, would appear to be a fair and reasonable compromise between the points of views entertained by the two Governments concerned:—

“If Dyea and Skagway are found, as the result of award of Arbitrators, to be within the territory of Great Britain, both places will be, and remain in the occupation, and within the territory, and under the jurisdiction of the United States. If Pyramid Harbour is found to be within the territory of the United States, it will be, and remain in the occupation, and within the territory, and under the jurisdiction of Great Britain.”

I have, &c.

(Signed)

REGINALD TOWER.

No. 47.

Mr. Tower to the Marquess of Salisbury.—(Received May 27.)

(No. 150.)

My Lord,

Washington, May 19, 1899.

IN view of the importance which attached to the contemplated action by the United States in the creation of a military post at Pyramid Harbour, as reported in my telegram No. 46 of the 5th instant, I think it may be of interest to give a brief survey of the present military establishment of the United States in Alaska.

Lieutenant-Colonel Lee has, at my request, drawn up a Report, copy of which I have the honour to transmit herewith, containing the information on the subject which he has been able to procure.

I have, &c.

(Signed)

REGINALD TOWER.

Inclosure in No. 47.

Lieutenant-Colonel Lee to Mr. Tower.

Sir,

Washington, May 19, 1899.

IN accordance with your request, I have the honour to furnish the following information with regard to the military situation in Alaska at the present time.

Alaska has been recently divided into two military districts, known respectively as "the District of North Alaska" and "the District of South-east Alaska." Both are under the general control of the General Officer Commanding the "Department of the Columbia."

The "District of North Alaska" comprises all United States' territory north of the 61st parallel of north latitude, and is, by the inclosed General Order No 93, placed under the command of Major P. H. Ray, 8th Infantry, who is at present in Washington, but who starts for Alaska very shortly. The total force under his command will consist of about 180 men, Regular Infantry, who are already distributed along the Yukon River roughly as follows:—

At St. Michael's	..	..	..	..	..	..	Men.
At St. James' Mission (junction of Yukon and Tanana)	..	..	..	..	..	..	30
At Circle City	..	..	..	..	..	..	60
At Belle Isle (Mission Creek), close to international boundary	..	..	..	..	..	..	20
Total	..	..	..	..	..	..	70
							180

Major Ray's head-quarters will be at Belle Isle, and he will also have under his command the two exploring expeditions detailed in General Order No. 51 herewith inclosed.

The "District of South-east Alaska" comprises all of Alaska south of the 61st parallel of north latitude, and is under the command of Major Townsend.

The total force under his command consists of about 150 men of the 25th (coloured) Infantry, who will be distributed roughly as follows:—

At Fort Wrangel	..	..	..	..	..	..	Men.
At Dyea	..	..	..	..	..	..	50
At Skagway..	..	..	..	..	..	..	50
Total	..	..	..	..	..	..	150

(The proposed post at Pyramid Harbour has been abandoned.)

The above posts are at present garrisoned by two companies of the 14th Infantry, who are under orders for transfer to the Philippines as soon as the two companies of the 25th Infantry can arrive to relieve them. The outgoing companies and the reliefs will therefore be in Alaska together for a few days, and this fact may have given rise to the rumours that an increase of the United States' garrisons was in contemplation.

As a matter of fact, I am assured by the Adjutant-General of the Army that the total United States' force in the whole of Alaska will in future be under 400 men, and that, so far from an increase being contemplated, the pending reliefs will result in an actual reduction of the force now there.

I have, &c.

(Signed)

ARTHUR H. LEE, *Lieutenant-Colonel,*
Military Attaché to the British Embassy.

No. 48.

Colonial Office to Foreign Office.—(Received May 29.)

(Confidential.)

Sir,

Downing Street, May 29, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 22nd instant, inclosing a copy of a telegram from the British Chargé d'Affaires at Washington on the subject of the Alaska boundary, and your two letters of the 23rd instant, one inclosing a copy of despatch No. 119 from the Marquess of Salisbury to Mr. Tower, and the other inclosing copies of two letters from the United States' Ambassador on the same subject.

2. It appears from Lord Salisbury's telegram to Mr. Tower that the United States' Secretary of State has stated to Mr. Choate that the proposition submitted to the United States' Government by Lord Salisbury in accordance with the suggestion of the Canadian Government is wholly unacceptable, and that "it is equivalent to saying that if the decision of the Arbitrators was against the British claim, Great Britain was to have a port on the United States' coast, and that, if it was favourable, she was to have the coast itself."

3. Mr. Chamberlain considers that it should be pointed out to the United States of America Government that this is not a correct interpretation of the proposal made by Her Majesty's Government. The effect of the proposal would be that if the decision of the Arbitrators is favourable to Great Britain, she nevertheless gives up two ports to the United States, and if it is favourable to the United States, they give up only one port to Great Britain.

4. It should also be recollected that Canada is and always has been perfectly willing to submit the whole question to arbitration without restriction, and it is only because the United States proposes to restrict the Arbitrators in their own favour in the cases of Dyea and Skagway that Canada has asked for a similar restriction in regard to Pyramid Harbour as some kind of equivalent.

5. In view, however, of the rejection of this proposal, Mr. Chamberlain considers that some other compromise should be proposed, and I am to inclose the draft of a telegram which, with Lord Salisbury's concurrence, he proposes to address to the Governor-General of Canada, informing him of the rejection of the terms proposed by the Canadian Ministers, and urging upon them the importance to Canada of arriving at some agreement on the Alaska question, and suggesting a possible compromise.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure in No. 48.

Draft of Telegram from Mr. Chamberlain to Governor-General the Earl of Minto.

(Secret.)

UNITED STATES' Ambassador asked his Government on the 13th May whether, if Great Britain made the proposal, they would accept a scheme for arbitration on the lines mentioned in my Secret telegram of the 12th May. The President decided, after consultation with State Department and members of Joint Commission, that "although presenting considerable concessions on the part of the United States, the suggested scheme of arbitration would be accepted as a measure of settlement." But before instructions could be sent to the Ambassador in this sense, Her Majesty's Chargé d'Affaires submitted the proposal of your Ministers respecting Pyramid Harbour, contained in your telegram of the 14th May. The Secretary of State has now informed the Chargé d'Affaires that this proposal "so completely changes the terms recently suggested as to render the entire proposition unacceptable."

The consequences of a delay in the settlement of the boundary question appear to me more serious for Canada than for the United States, who are in possession; further, though Dyea and Skagway may have been occupied without the knowledge of Canada, no protest or objection was made when the occupation was brought to the knowledge of the Dominion Government, and when a Canadian Customs post was established on the provisional frontier without any notice that a more favourable line was claimed, Canada tacitly admitted the claims of the United States to the whole of the waters and shores of the Canal. United States' Ambassador here has pointed out that Canada's position with regard to Pyramid Harbour is very different from that of United States with regard to Dyea and Skagway in matter of vested interests.

I suggest following as a possible compromise, viz., that following Venezuelan precedent, it shall be declared that if Arbitrators find that any places now occupied by United States belong to Great Britain they shall remain with United States, but such compensation in money or territory shall be given as justice, in opinion of Arbitrators, requires.

Please communicate the above to your Ministers, and report their views as soon as possible. Unless some compromise on Alaska question can be arrived at, it is certain that the Commission will not meet, and that no settlement will be obtained.

No. 49.

Mr. Hay to Mr. Choate.—(Communicated to Foreign Office, May 29.)

(Private and Confidential.)

(Telegraphic.)

(Received at the Embassy, May 27, 1899, 9.30 P.M.)

CONSTANT complaint from our officials in Alaska of encroachments from Canada. Some *modus vivendi* imperatively required. Suggest to Lord Salisbury as provisional boundary, without prejudice, summit of White and Chilkoot Passes, and on Dalton Trail a line passing north of Indian village of Klukwan.

No. 50.

The Marquess of Salisbury to Mr. Tower.

(No. 125.)

Sir,

Foreign Office, May 29, 1899.

I HAVE received your despatch No. 149 of the 18th instant, inclosing a copy of the note which you addressed to the United States' Government in accordance with the instructions conveyed to you in my telegram No. 71 of the 17th respecting the proposed arbitration on the Alaska boundary question.

I approve the terms of your note.

I am, &c.
(Signed) SALISBURY.

No. 51.

Mr. Hay to Mr. Choate.—(Communicated by Mr. Choate, May 30.)

(Telegraphic.)

[Received May 27, 1899, 9.30 P.M.]

CONSTANT complaint from our officials in Alaska of encroachments from Canada. Some *modus vivendi* imperatively required. Suggest to Lord Salisbury as provisional boundary without prejudice summit of White End Chilkoot Passes, and on Dalton Trail a line passing north of Indian village of Klukwan.

No. 52.

Mr. Tower to the Marquess of Salisbury.—(Received June 2.)

(No. 151.)

My Lord,

Washington, May 20, 1899.

WITH reference to your Lordship's telegram No. 71, Confidential, of the 17th instant, and my despatch No. 149 of the 18th instant, I have the honour to transmit herewith copy of the reply received this day from the United States' Secretary of State to the proposal by Her Majesty's Government for an addition to Rule C of the draft Treaty put forward in February last by the British Commissioners for the delimitation of the Alaska boundary.

I have this day reported to your Lordship by telegraph the substance of Mr. Hay's reply.

I have, &c.
(Signed) REGINALD TOWER.

Inclosure in No. 52.

Mr. Hay to Mr. Tower.

Sir,

Washington, May 19, 1899.

I HAVE the honour to acknowledge receipt of your note of the 18th May, in which you inform me that, as a result of informal negotiations concerning the delimitation of the Alaska boundary which have taken place in London between

Sir Julian Pauncefote and the United States' Ambassador, Her Majesty's Government have taken into their careful consideration the proposals made, and have been in consultation with the Government of Canada thereon; that you are now authorized by the Marquess of Salisbury to submit to the favourable consideration of the United States' Government the subjoined addition to Rule C of the draft Treaty proposed by the British Commissioner in February last, namely:—

“If Dyea and Skagway are found, as the result of the Award of Arbitrators, to be within the territory of Great Britain, both places will be and remain in the occupation, and within the territory and under the jurisdiction of the United States. If Pyramid Harbour is found to be within the territory of the United States it will be and remain in the occupation, and within the territory, and under the jurisdiction of Great Britain.”

You add that this, in the opinion of Her Majesty's Government, would appear to be a fair and reasonable compromise between the points of view entertained by the two Governments concerned.

I beg to say, in reply, that, on the 13th May, this Department received from our Ambassador in England a despatch inquiring whether this Government would accept, if it should be proposed by Great Britain, a scheme of arbitration therein set forth, providing, among other things, for an addition to Rule C of the draft Arbitration Treaty offered by the British Commissioners in February last, which read as follows:—

“And whereas the settlements of Dyea and Skagway, situated in the region of the Lynn Canal, are now in the occupation and under the jurisdiction of the United States, it is agreed by the High Contracting Parties that, if it shall be found by the Tribunal that those settlements are situated within the territory belonging of right to Great Britain, they shall come within the operation of this Rule, and be and remain in the occupation, and within the territory, and under the jurisdiction of the United States.”

This proposition received the most serious consideration of the President and of this Department, and, after thorough consultation with members of the International Commission, it was decided that the suggested scheme of arbitration, although involving considerable concessions on our part, would be accepted as a measure of settlement. I was preparing a despatch to our Ambassador in London in this sense when I had the honour of receiving your visit yesterday morning, and of being informed of the new proposition of your Government in regard to Pyramid Harbour, information which has since been received from Mr. Choate.

I regret that I cannot share in the opinion of Her Majesty's Government that this new proposal constituted a fair and reasonable compromise between the points of view entertained by the two Governments concerned. It changes so completely the terms lately suggested as to render the entire proposition unacceptable. I have so instructed our Ambassador in London.

I have, &c.
(Signed) JOHN HAY.

No. 53.

Mr. Tower to the Marquess of Salisbury.—(Received May 31.)

(No. 152.)

My Lord,

Washington, May 20, 1899.

AS I had the honour to report in my telegram No. 47 of the 17th instant, I was informed verbally by the United States' Secretary of State on that day that he had requested the Secretary of War to suspend sending a company of United States' troops for the present to Pyramid Harbour, in view of the expression of opinion put forward by Her Majesty's Government.

He promised to send me an official note to that effect, on the following day, stating that this suspension was not in any way to be construed as a recognition of the British claim, and that it would be necessary to hold the troops in readiness in case of any emergency. Not having received any further communication from Mr. Hay on the subject, I asked him in conversation to-day, whether a reply was being prepared to my note of the 12th instant (copy of which accompanied my despatch No. 142 of the 12th instant).

Mr. Hay thereupon sent me a note, copy of which I inclose herewith, dated the

17th instant, informing me that the dispatch of the troops, as contemplated, had been suspended, but maintaining, in reply to your Lordship's statement that Pyramid Harbour is more than 30 miles from the ocean—

1. That the place is on tide water;
2. That it is ground always occupied by the United States and its predecessors; and
3. That it is more than 30 miles inside the boundary claimed by the United States, and believed by the United States' Government to be the true line of demarcation between the British and American territory.

I have repeated the substance of Mr. Hay's note to your Lordship by telegraph this day, and have informed the Governor-General of Canada merely that the United States' Government have decided to suspend for the present the dispatch of troops to Pyramid Harbour, which had been previously announced.

I have, &c.
(Signed) REGINALD TOWER.

Inclosure in No. 53.

Mr. Hay to Mr. Tower.

Sir,

Department of State, Washington, May 17, 1899.

I HAVE received the note which you have done me the honour to send me, dated the 12th May, in which you inform me that Her Majesty's Government have received with regret the intelligence that the Government of the United States contemplate the establishment of a military post at Pyramid Harbour on the Chilkat Inlet; that Her Majesty's Government consider that the *status quo* in regard to the occupation of territories in the region of the Lynn Canal would be disturbed by such action; and that this is the more to be deprecated at the present time, when the two Governments are proceeding with negotiations for a *modus vivendi*, and for a reference to arbitration of the Alaska boundary question. You call my attention, under instructions from the Marquess of Salisbury, to the fact that Her Majesty's Government claim as British territory all the waters and shores of the Lynn Canal which are more than 30 miles from the ocean, and you state that, as the distance of Pyramid Harbour from the ocean is more than 30 miles, Her Majesty's Government trust that, for the present at least, the Government of the United States will suspend any action of the nature of that which is now contemplated.

I cannot but believe that the representations contained in your note are founded on imperfect information. I am aware that Her Majesty's Government have recently put forward a claim to all the waters and shores of the Lynn Canal which are more than 30 miles from the ocean, but Her Majesty's Government are certainly aware that all this region is not only regarded by the Government of the United States as belonging to them since the Treaty of 1867, and to Russia before that date, but that it has for a long time been peacefully occupied and possessed by American citizens, who have entered upon it in good faith, relying upon common report, undisturbed possession, the claims of the Government and the evidence of all available maps. This Government has been informed that there is danger of collision and disorder among these American citizens on the one hand, and the Canadian police and border Indians on the other. It was solely to prevent any such collision and to preserve the public peace that it has been in contemplation to send a small number of soldiers, a single company, to Pyramid Harbour. Your note observes that this point is more than 30 miles from the sea. I can only say in reply that it is on tide water, that it is ground always occupied by the United States and its predecessors, and that it is more than 30 miles inside of the boundary claimed by the United States, and believed by this Government to be the true line of demarcation between the British and American territory.

In view of the negotiations now going on between the Governments of the United States and of Great Britain, I have requested the Secretary of War to suspend for the present the dispatch of troops to Pyramid Harbour; but it must be evident to Her Majesty's Government that this wild region of country, occupied to a great extent by American citizens, should not be left to the hazard of chance collisions; and that this Government, if the occasion should arise, would not be justified in failing to take such measures as may seem to be required to preserve order in that district and prevent disturbances which all parties would equally regret.

It is understood that the rights of neither Government are prejudiced by the action of the authorities of either pending a determination of the matters at issue; and the President hopes that a solution, first of the question of a *modus vivendi* and afterwards of that of a permanent boundary may speedily be reached on terms alike honourable and satisfactory to both Governments.

I have, &c.
(Signed) JOHN HAY.

No. 54.

The Marquess of Salisbury to Mr. Tower.

(No. 127. Confidential.)

Sir,

Foreign Office, May 31, 1899.

WITH reference to my despatch No. 119 of the 20th instant, recording the reply of the United States' Government to Mr. Choate in regard to the proposal which you were instructed to make for referring the Alaska boundary question to arbitration, I transmit to you a copy of a letter from the Colonial Office,* pointing out that the statement in Mr. Hay's telegram is not a correct interpretation of the British proposal, and also that Canada has always been willing to submit the whole question to arbitration.

You should make a communication to the United States' Government in the sense of the third and fourth paragraphs of the inclosed letter.

With regard to the last paragraph, I have to state, for your confidential information, that I have expressed my concurrence in the telegram which it is proposed to send to the Earl of Minto.

I am, &c.
(Signed) SALISBURY.

No. 55.

Foreign Office to Colonial Office.

(A.)

(Confidential.)

Sir,

Foreign Office, May 31, 1899.

WITH reference to your letter of the 28th ultimo respecting the proposal of the United States' Government for a provisional Agreement on the Alaska boundary, I am directed by the Marquess of Salisbury to state that the United States' Ambassador has received a telegram from his Government to the effect that the American officials in Alaska constantly complain of encroachments from Canada, and that some *modus vivendi* is imperatively required.

His Excellency has therefore been instructed to suggest as a provisional boundary, "without prejudice, the summit of the White and Chilkoot Passes, and on Dalton Trail a line passing north of the Indian village of Klukwan."

Mr. Choate has asked for an interview with Lord Salisbury on this subject, and I am to request that his Lordship may be informed as early as possible of Mr. Secretary Chamberlain's views as to the answer which should be returned to the American proposal.

I am, &c.
(Signed) F. H. VILLIERS.

No. 56.

Foreign Office to Colonial Office.

(B.)

(Confidential.)

Sir,

Foreign Office, May 31, 1899.

I LAID before the Marquess of Salisbury your letter of the 29th instant on the subject of the Alaska boundary.

His Lordship will not fail to instruct Her Majesty's Chargé d'Affaires at

* No. 48.

Washington to make a communication to the United States' Government in the sense of the third and fourth paragraphs of your letter, pointing out that the statement in Mr. Hay's telegram to Mr. Choate is not a correct interpretation of the British proposal, and also that Canada has always been willing to submit the whole question to arbitration.

I am directed by Lord Salisbury to add, that he concurs in the telegram which Mr. Secretary Chamberlain proposes to address to the Earl of Minto in suggesting a possible compromise.

I am, &c.
(Signed) F. H. VILLIERS.

No. 57.

The Marquess of Salisbury to Mr. Tower.

(No. 131.)

Sir,

Foreign Office, June 2, 1899.

THE United States' Ambassador communicated to me on the 30th ultimo a telegram from Mr. Hay, stating that the American officials in Alaska constantly complained of encroachments from Canada, and that some *modus vivendi* was imperatively necessary.

Mr. Hay suggested, as a provisional boundary, "without prejudice, the summits of the White and Chilkoot Passes, and on Dalton Trail a line passing north of the Indian village of Klukwan."

At an interview to-day Mr. Choate pressed on me the importance of agreeing on a *modus vivendi*, on account of the danger of a collision on the frontier. I promised to lay the matter before my colleagues on Tuesday next, the 6th instant. His Excellency asked whether I could not accept the line proposed at once. I said that such a mode of proceeding would not, I feared, be acceptable to the Dominion of Canada.

He seemed the more earnest to procure the acceptance of the *modus vivendi*, that he was evidently not sanguine of any probable progress in the main negotiation.

I am, &c.
(Signed) SALISBURY.

No. 58.

Colonial Office to Foreign Office.—(Received June 3.)

(Confidential.)

Sir,

Downing Street, June 2, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 31st ultimo, a paraphrase of a telegram to the Governor-General of Canada on the subject of the proposal of the United States' Government for the establishment of a provisional boundary in the region of the Lynn Canal.

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure in No. 58.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Telegraphic.) P.

Downing Street, June 2, 1899.

WITH reference to your despatch No. 68 of the 6th April and your telegram of the 26th idem, United States' Government have telegraphed to their Ambassador stating that some *modus vivendi* is imperatively required, as their officials constantly complain of encroachments from Canada. He has accordingly been instructed to propose as a provisional boundary, "without prejudice, the summit of the White and Chilkoot Passes and on Dalton Trail a line passing north of the Indian village of Klukwan."

What are views of your Ministers on this proposal?
Reply by telegraph what answer they wish returned.

No. 59.

Colonial Office to Foreign Office.—(Received June 5.)

(Confidential.)

Sir,

Downing Street, June 3, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from this Department of the 29th April, a copy of correspondence on the subject of the views of the Canadian Government as to the present position of the questions before the Joint High Commission, especially that of the Alaska boundary, and as to the direction in which a possible settlement may be sought.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure 1 in No. 59.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Confidential.)

My Lord,

Downing Street, March 15, 1899.

AS your Lordship is aware, in the official statement issued at Washington on the 22nd February with regard to the adjournment of the Joint High Commission for the settlement of outstanding questions between Canada and the United States, it was announced that the next meeting would be held at Quebec on the 2nd August, unless the Chairman of the respective Commissions should agree upon another date; and it was further stated that while substantial progress had been made in the settlement of many of the questions upon which the Commission had been engaged, no agreement had been reached upon the settlement of the Alaska boundary question, or upon the manner of arriving at a settlement, and that an adjournment was advisable in order that the respective Governments might be enabled to consider the question further.

It is important that Her Majesty's Government should, as soon as possible, be placed in possession of the views of your Government with regard to the position in which the questions before the Commission, and more particularly the Alaskan boundary question, now stand, and the direction in which a possible settlement might be sought, in order that some basis of compromise may, if possible, be determined upon before the Commission resumes its labours.

I have, &c.

(Signed) J. CHAMBERLAIN.

Inclosure 2 in No. 59.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Confidential.)

Sir,

Government House, Ottawa, May 19, 1899.

IN reply to your Confidential despatches of the 15th March and the 28th April last, asking for an expression of the views of my Ministers respecting the questions before the Joint High Commission, especially that of the Alaska boundary, and as to the direction in which a settlement might be sought, I have the honour to forward herewith a copy of an approved Minute of the Privy Council, containing the observations of the Government upon these questions.

You will observe that Ministers express the opinion that had a settlement been arrived at as regards the Alaska boundary, all the other questions referred to the Commission could have been satisfactorily disposed of; but that the only course now possible is to press the reference of the Alaska boundary question to arbitration on the terms of the Venezuelan precedent.

I have, &c.

(Signed) MINTO.

Inclosure 3 in No. 59.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 18th May, 1899.

THE Committee of the Privy Council have had under consideration the despatches hereto annexed from the Right Honourable the Secretary of State for the Colonies, dated respectively the 15th March and the 28th April last, in which the Secretary of State for the Colonies expresses the desire to be confidentially informed of the views of your Excellency's Ministers concerning the questions referred to the Anglo-American Commission, especially that of the Alaska boundary, and particularly as to the points which they regard as essential, and as to those which would seem to them of comparative unimportance, so that Her Majesty's Government may be in a better position to co-operate with your Excellency's Government in securing a satisfactory settlement.

The Right Honourable the Prime Minister to whom the said despatches were referred, states that he is of opinion that, had a settlement been arrived at on the Alaska boundary by the Commission, all the other questions referred to it would have been settled in a manner which on the whole, would have been honourable and sufficient for the time being.

That it was found, however, impossible to come to an understanding on the Alaska boundary question, and the Minister submits that the British Commissioners made repeated efforts to settle it by a fair compromise which, however, was declined by the American members of the Commission, and which, he now submits, leaves no alternative but a reference to arbitration on the lines of the Venezuelan precedent.

The Minister observes that the boundary between Alaska and Canada was defined by the Treaty of St. Petersburg of 1825 between Russia and Great Britain.

By the terms of that Treaty the boundary east and west is to be the 141st degree of west longitude, which has since been established on the ground by a joint survey of the Canadian and American Governments, and as to which there is no dispute now.

The boundary south* of the 141st degree of west longitude† is defined in the following words of the IIIrd Article:—

“Commencing from the southernmost point of the island called Prince of Wales' Island, which point lies in the parallel of 54° 40' north latitude and between the 131st and 133rd degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called the Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude. From this last-mentioned point the line of demarcation shall follow the summit of the mountains situated parallel to the coast, as far as the point of intersection of the 141st degree of west longitude (of the same meridian).

In the following Article (the IVth), it is provided that wherever the summit of the mountains should be found to be at a distance exceeding 10 marine leagues from the ocean, then the boundary shall be formed by a line parallel to the windings of the coast and never to exceed 10 marine leagues from it.

The Minister states that it is the fixing of the strip of territory here mentioned which is the cause of the present difficulty. Your Excellency's advisers contend that the line should proceed from Prince of Wales' Island to Portland Channel, thence west of Pearce Island to the mainland, and thence on the crest of the mountains nearest to the coast to the junction of the 141st meridian.

It may here be remarked that all that portion of the coast of the Pacific Ocean is covered with mountains and indented with creeks, bays, and inlets, some of them like Lynn Inlet advancing nearly 100 miles inland.

The American interpretation of the Treaty is that the strip of territory should follow the windings of all those bays, creeks, and inlets. The Canadian interpretation, on the contrary, is that the boundary should follow the crest of the mountains nearest the coast, stepping over all such bays, creeks, and inlets, which, by the well understood rule of international law, are territorial waters.

The Minister submits that the question in dispute must be settled by the adoption of either one or the other of the above interpretations. If the Canadian interpretation is adopted, the Lynn Inlet will belong almost entirely to Great Britain.

* *Qy.* east.

† *Qy.* or south of the 60th degree of north latitude.

If, on the contrary, the American interpretation is adopted, the whole of that inlet will belong to the United States.

The decision of that question, as here stated, has assumed a great importance of late, from the discovery of gold in the Yukon territory, inasmuch as the Lynn Inlet is the shortest and easiest way of access to these new gold-fields. The importance of it is further complicated by the fact that the Americans have had for some few years past two establishments at the head of the Lynn Canal, namely, at Dyea and Skagway.

In view of the latter fact, and well realizing this new element in the controversy, the Canadian Commissioners repeatedly offered to the American Commissioners, during the negotiations to settle the question by the following compromise, viz., the boundary to be placed at the summit of the mountains around Lynn Inlet, so as to maintain the Americans in their present possession of Dyea and Skagway, they giving to Great Britain the Harbour of Pyramid, which is at some distance west, with a strip of territory in the rear to join the boundary.

There was some prospect of an agreement being reached on these terms, but at the last moment the American Commissioners declined it.

There remained nothing to do then but to refer the matter to arbitration, and the British Commissioners at once proposed to the American Commissioners to accept for such an arbitration the terms of the precedent recently created on the Venezuela boundary, which, in many respects, presented features almost identical to the present case.

This was also refused by the American Commissioners. They asked that, should the boundary be fixed according to the Canadian contention, they should remain in possession of Dyea and Skagway. To this the British Commissioners readily assented, provided it were granted on the part of the United States that if the boundary was decided according to their contention, Great Britain should be given the possession of Pyramid Harbour. This proposition was also refused.

The Minister represents that, under such circumstances, it seems that the only course which this Government can follow is to persist in the proposition that the whole question be referred to arbitration on the terms of the Venezuela precedent. No other solution seems either possible or satisfactory.

The Committee, concurring, advise that your Excellency be moved to forward a certified copy of this Minute to the Right Honourable the Secretary of State for the Colonies in answer to his despatches of the 15th March and 28th April, 1899, above-mentioned.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. MCGEE,

Clerk of the Privy Council.

No. 60.

Memorandum by Sir Julian Pauncefote.—(Received June 6.)*

(Private.)

IT is manifest that under the Rules laid down in Article IV of the Anglo-Venezuelan Treaty (accepted by Canada), Dyea and Skagway must be and remain American territory. Canada, however, objects to this being provided for on the face of the Treaty, as it looks as a Concession granted without an equivalent, and, therefore, she asks that Pyramid Harbour be secured to her if the Treaty expressly secures Dyea and Skagway to the United States. But her claim to Pyramid Harbour is not based on occupation, and could not be brought under the Rules of the Anglo-Venezuelan Treaty. Those Rules, which Canada accepts, are in some respects inapplicable to the case of Alaska. In the case of Alaska the whole question depends on the construction of a Treaty already defining the boundary, whereas in the case of Venezuela the question mainly depends on prescription and other grounds of title other than Treaty rights.

I would therefore suggest that the three Rules of the Anglo-Venezuelan Treaty be varied for the purposes of the Alaskan Arbitration as shown in the annexed draft. This new version of the Rules treats both parties exactly alike, and at the same time practically secures Dyea and Skagway without naming them to the United States on equitable conditions. If the Award should declare that the boundary-line runs round

* Forwarded in a letter to Mr. Villiers.

the head of Lynn Canal, Canada's claim to Dyea and Skagway falls to the ground. If it should declare that the line runs parallel to the Ocean Coast, Canada will get the whole territory in dispute, and probably compensation for Dyea and Skagway.

I venture to think, therefore, that an effort to adjust the question of arbitration on the above lines might be successful.

The Hague, June 5, 1899.

Annex.

Rules.

(a.) It is agreed by the High Contracting Parties that if, in determining the boundary-line, it shall be found by the Tribunal that territory belonging of right to one party was at the date of this Treaty in the occupation or exclusive political control of the other, the boundary shall be so determined as not to interfere with such occupation or political control.

(b.) For this purpose the Arbitrators shall have the fullest powers to vary and adjust the boundary unconditionally, or on such terms as reason, justice, and the equities of the case may, in the opinion of the Tribunal, require.

(c.) The Arbitrators may recognize and give effect to rights and claims resting on any grounds whatever, valid according to international law, and on any principles of international law which they may deem to be applicable to the case, and which are not in contravention of the foregoing Rules.

No. 61.

Colonial Office to Foreign Office.—(Received June 6.)

(Confidential.)

Sir,

Downing Street, June 6, 1899.

WITH reference to the letter from this Department of the 2nd instant, I am directed by Mr. Secretary Chamberlain to transmit to you, for the information of the Marquess of Salisbury, paraphrase of a telegram from the Governor-General of Canada respecting the proposal of the United States' Government for the establishment of a provisional boundary in the region of the Lynn Canal.

2. Lord Salisbury will observe that the Canadian Government, though protesting against the assertion that there has been any encroachment from Canada on United States' territory, are prepared to accept the provisional line suggested by the United States' Government, on the understanding that the agreement to be concluded shall state definitely that on the Dalton Trail the line, while running north of the village of Klukwan, shall pass south of the junction of the Klehnini River with the Chilcat.

3. Mr. Chamberlain presumes that the United States' Government in making their proposal intended that the provisional line to be fixed on the Chilcat should pass immediately north of the village of Klukwan, and that they will therefore have no objection to defining the line in the way desired by the Canadian Government.

4. In these circumstances, and subject to the condition mentioned, Mr. Chamberlain sees no objection to accepting the proposal of the United States' Government, as stated in your letter of 31st ultimo, without prejudice, of course, to the contention of Her Majesty's Government that, according to the Treaty of 1825, the boundary-line should cross the Lynn Canal at a distance of not more than 30 miles from its entrance from the ocean.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure in No. 61.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

[Received June 4, 1899, 10.20 A.M.]

YOUR telegram of the 1st June respecting provisional boundary-line between Canada and Alaska.

My Ministers protest against the assertion, for which there is no foundation, that there has been encroachment by Canada on United States' territory, but they will agree to the suggested boundary-line, viz., on the White and Chilcoot Passes, the summits, and on the Dalton Trail a line north of the Indian village of Klukwan.

With regard to White and Chilcoot Passes, the summit has been accepted as provisional boundary by the Governments of Canada and the United States for the last two years.

To avoid uncertainty with respect to the boundary on the Dalton Trail, the agreement should state that it is to be north of village of Klukwan and south of the junction of the Klehnini with the Chilcat.

A map will be sent by the next mail.

No. 62.

The Marquess of Salisbury to Mr. Choate.

Your Excellency,

Foreign Office, June 6, 1899.

THE proposal for the establishment of a provisional boundary in the region of the Lynn Canal contained in the telegram from Mr. Hay, which your Excellency communicated to me on the 30th ultimo, was referred to the Government of Canada, and I have the honour to inclose a copy of a message which has been received in reply from the Governor-General.*

Your Excellency will observe that the Canadian Government, though protesting against the assertion that there has been any encroachment from Canada on United States' territory, are prepared to accept the provisional line suggested by your Government on the understanding that the Agreement to be concluded shall state definitely that on the Dalton Trail the line, while running north of the village of Klukwan, shall pass south of the junction of the Klehnini River with the Chilcat.

Her Majesty's Government presume that the United States' Government in making their proposal intended that the provisional line to be fixed on the Chilcat should pass immediately north of the village of Klukwan, and that they will therefore have no objection to defining the line in the way desired by the Canadian Government.

In these circumstances, and subject to the conditions mentioned, Her Majesty's Government are prepared to accept Mr. Hay's proposal without prejudice, of course, to their contention that, according to the Treaty of 1825, the boundary-line should cross the Lynn Canal at a distance of not more than 30 miles from its entrance from the ocean.

I have, &c.

(Signed) SALISBURY.

No. 63.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, June 6, 1899.

I HAVE laid before the Marquess of Salisbury your letter of this day's date notifying the acceptance by the Canadian Government of the provisional boundary between the Dominion and Alaska, which was proposed by the United States' Government in a telegram to their Ambassador in London, and communicated by his Excellency on the 30th ultimo.

I am directed by Lord Salisbury to transmit to you a copy of his Lordship's note

* Inclosure in No. 61.

to Mr. Choate,* inclosing a paraphrase of the telegram from the Governor-General which accompanied your letter, and I am to suggest that Lord Minto should be requested to repeat his telegram to Her Majesty's Chargé d'Affaires at Washington, in order that the latter may be fully informed of what has passed.

I am, &c.
(Signed) F. H. VILLIERS.

No. 64.

The Marquess of Salisbury to Mr. Tower.

(No. 77.)

(Telegraphic.) P.

Foreign Office, June 7, 1899.

MR. HAY'S last proposals with regard to the Alaska provisional boundary were referred to the Government of Canada.

The reply of the Governor-General has been communicated to the United States' Ambassador, and the Colonial Office have asked Lord Minto to repeat it to you.

No. 65.

Mr. Tower to the Marquess of Salisbury.—(Received June 8.)

(No. 162.)

My Lord,

Washington, May 30, 1899.

I HAVE the honour to report that Mr. Hay told me yesterday he had sent telegraphic instructions to the United States' Ambassador in London to endeavour to arrange with your Lordship the basis of at least a provisional *modus vivendi* in the disputed territory in the region of the Lynn Canal.

I asked him if he wished me to repeat to your Lordship any suggestion or observation of his own. He replied in the negative. I then alluded to a telegraphic summary of an article in the "Times" of the 29th instant, advocating a "compromise plan for internationalizing the wharf at Skagway and the White Pass route to the Canadian frontier."

Mr. Hay said that he was not prepared to make any statement on that subject.

During our conversation, I thought it expedient to call the Secretary of State's attention to the recently published accounts in the United States' press of the present stage of the negotiations with Her Majesty's Government. A sample of these, taken from the "New York Tribune" of the 28th instant, is inclosed herewith.

As your Lordship will observe, the version of the British proposal would appear to have emanated from Washington, though the inference to be drawn from its perusal is most misleading. It states that the chief point of the arrangement between Sir Julian Pauncefote and M. Choate was that a separate Tribunal of Arbitration should pass on the boundary question, and then dilates on the "extraordinary condition which Canada imposed in connection with the submission of the question to arbitration," leaving it to be understood that this condition originated from the British side, instead of as a corollary to the insistence of the United States, that Dyea and Skagway should be first eliminated.

The article in question was prepared by the Associated Press, which is the principal and best considered news agency in the United States.

Mr. Hay informed me that he had made no statement of any kind to the press, and suggested that the leakage came from London.

I have, &c.
(Signed) REGINALD TOWER.

Inclosure in No. 65.

Extract from the "New York Tribune" of May 28, 1899.

TO clear up misunderstandings which appear to exist both in London and, to some extent, in this country as to the exact status of the negotiations between the United States and Great Britain respecting Canadian-American issues, the following statement of

the occurrences which led to the present condition of affairs has been secured from the best of authority.

When the Joint High Commission adjourned, it was because it had reached an apparently insurmountable obstacle in the shape of the Alaskan boundary question. After the adjournment the two Governments took up this question with a view to settling it, and thus removing it from the path of the many other important issues involved. There were numerous delays, owing to the need of exchanging views between London, Washington, and Ottawa, and the authorities here became convinced that an adjustment was hopeless. But the feeling in London was more hopeful, and when Sir Julian Pauncefote reached London on his way to the Hague he held conferences with Lord Salisbury, which resulted in a definite proposal for settling the boundary issue and removing it as an obstacle to the work of the Commission. The chief point of this proposal was that a separate Tribunal of Arbitration should pass on the boundary question. It was communicated to Ambassador Choate, and by him to the State Department.

Officials Surprised and Indignant.

When the plan was received the President was at Hot Springs, and it was felt desirable to await his return before giving a final answer. There was little or no doubt that the answer would be favourable. Just as the acceptance was about to be given the officials here were surprised to have presented what they regarded as an extraordinary condition, which Canada imposed in connection with the submission of the question to arbitration. This condition was that, in any event, Canada should have Pyramid Harbour and a strip of territory on the Lynn Canal without reference to the general conclusions reached by the Tribunal of Arbitration. This port and the strip of territory on the coast would have carried also the back country leading to the interior.

This condition, coming after the arbitration plan had been formally proposed and was about to be accepted, caused not only surprise, but some degree of indignation among the officials here. After canvassing the situation, the view prevailed that Canada wanted arbitration which would insure a favourable decision on her side, or else, if the decision was unfavourable, would give her rights in Pyramid Harbour and on the Lynn Canal contrary to the general decision of the Arbitrators. It was decided not to accept this condition, and a peremptory refusal was given to the proposition.

Thus the matter stands. There is every reason to believe that the officials here will not yield to Canada's condition. If it is withdrawn, arbitration may yet be arranged as a means of settling the boundary. The opinion in the highest quarters seems to be positive that without some such adjustment of the boundary matter, the resumption of work by the Joint High Commission on the many other topics considered is improbable.

No. 66.

Mr. Choate to the Marquess of Salisbury.—(Received June 12.)

My Lord,

American Embassy, London, June 10, 1899.

I HAVE the honour to acknowledge the receipt of your Lordship's note of the 6th instant, and to inform you that I cabled on that day to the Secretary of State the substance of your proposed modification of the provisional line suggested by him, and I have now the pleasure to state that your modified proposition is accepted by my Government, but with the following qualifications, for the sake of rendering the same more definite and certain, making the Agreement read as follows:—

“It is agreed between the two Governments that the boundary-line between Canada and the territory of Alaska, in the region about the head of the Lynn Canal, shall be provisionally fixed, without prejudice to the claims of either party in the permanent adjustment of the international boundary, at the watershed on the summit of White and Chilkoot Passes, and in the region of the Dalton Trail at the junction of the Chilkat and Klehini Rivers, a mile and a-half, more or less, north of the village of Klukwan, and at the crossing of the Klehini by the Dalton Trail; and the two Governments further agree that the respective Customs' outposts shall not be advanced beyond the points indicated. Steps shall be taken without delay to establish by

international co-operation a provisional boundary monument at each of the points herein established."

I do not believe that you will have any difficulty in accepting these changes, which are not substantial. It is quite clear that a definite point on the Dalton Trail should be indicated, so as not to leave any debatable ground, and the distance of one mile and a-half north of the village of Klukwan, at the crossing of the Dalton Trail by the Klehini River, is, according to the maps I have, at the least, quite as favourable to Canada as the junction of the two rivers. I think also that it is better for both sides that this provisional Agreement should be stated to be without prejudice generally to the claims of either party in the permanent adjustment of the international boundary, than to attempt to insert at this stage in definite terms the actual boundary claimed by each.

Your Lordship will, of course, understand that my Government, in making this provisional Agreement for a *modus vivendi*, assumes that the citizens of either Power found under the jurisdiction of the other by its terms shall suffer no diminution of the rights and privileges which they now enjoy.

Hoping for an early and favourable reply,

I have, &c.
(Signed) JOSEPH H. CHOATE.

No. 67.

Colonial Office to Foreign Office.—(Received June 12.)

My dear Villiers,

Downing Street, June 12, 1899.

I AM afraid that Canada would object to Sir J. Pauncefote's proposed Rule (b), which would enable the Arbitrators to vary the boundary "unconditionally," by giving Dyea and Skagway to the United States without compensation if they are found to belong of right to Canada.

We are sending you a proposal that the Canadian Government should be asked to send one of themselves over here, so that we may be able to get more in touch with them than we can by means of telegrams and despatches.

Yours very truly,
(Signed) EDWARD WINGFIELD.

No. 68.

Colonial Office to Foreign Office.—(Received June 13.)

(Confidential.)

Sir,

Downing Street, June 13, 1899.

I AM directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, paraphrase of a telegram from the Governor-General of Canada respecting the terms on which the Alaska boundary question should be referred to arbitration.

2. This telegram contains the reply of the Dominion Government to the telegram which, with Lord Salisbury's concurrence, as expressed in your letter of the 31st ultimo, was addressed to the Governor-General on the subject on the 1st instant.

3. Lord Salisbury will observe that the Canadian Government still insist that the reference of the question to arbitration should follow the lines of the Venezuelan precedent, and Mr. Chamberlain apprehends that further telegraphic correspondence is hardly likely to result in much progress being made towards a settlement of the matter.

4. He proposes, therefore, if his Lordship concurs, to ask the Dominion Government to send to this country, with the least possible delay, some responsible officer fully acquainted with the Canadian side of the question to discuss it with Her Majesty's Government with a view to ascertaining whether some understanding can be reached.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure in No. 68,

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

June 8, 1899.

THE provisions of the Venezuelan reference which permit Arbitrators to assign to either party those portions of disputed territory which are actually in their possession whenever in the judgment of the Arbitrators it may be considered equitable so to do, are considered by my Ministers to cover all reasonable claims of United States. That clause does not prevent United States from pressing their claims to Dyea and Skagway, and to any argument which they may see fit to advance, the Arbitrators are at liberty to give full weight. In the judgment of my Ministers any further concession is calculated to make reference to arbitration a mere formality.

Premier requested me to send above reply to your telegram of the 1st June, last Saturday, but I pointed out that if the terms suggested by you were accepted, they might prove more favourable to Canada than provisions of Venezuelan reference, and that unconditional acceptance by the United States of the terms of that reference did not seem probable. He again referred to the Cabinet, and now adheres to his reply. He states that United States have asserted their authority over Pyramid Harbour for less than two years, and points out that that harbour, as well as Dyea and Skagway, would be given to them by the terms which you suggest. This is the first occasion on which a claim of the United States for present authority over Pyramid Harbour has been mentioned to me by Ministers.

No. 69.

Question asked in the House of Commons, June 13, 1899.

Mr. Hogan,—To ask the Under-Secretary of State for Foreign Affairs, whether Her Majesty's Government and the Government of the United States have now arrived at an understanding on the Alaskan boundary question.

Answer.

The answer to the honourable Member's question is in the negative.

No. 70.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, June 13, 1899.

WITH reference to your letter of the 6th instant, I am directed by the Marquess of Salisbury to transmit to you a copy of a note from the United States' Ambassador,* in which his Excellency states that the proposal for a provisional boundary-line between Canada and Alaska, as modified by the Canadian Government, is accepted, but that certain qualifications have been made for the sake of rendering it more definite and certain.

I am to request that Lord Salisbury may be informed as early as possible whether Mr. Secretary Chamberlain concurs in the form of agreement given in Mr. Choate's despatch and in the conditions attached to it.

I am, &c.

(Signed) F. H. VILLIERS.

No. 71.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, June 14, 1899.

I AM directed by the Marquess of Salisbury to acknowledge the receipt of your letter of the 13th instant, inclosing a telegram from the Governor-General of Canada, from which it appears that the Dominion Government still desire to adhere to the Venezuelan precedent in referring the Alaska boundary question to arbitration.

Lord Salisbury concurs in Mr. Secretary Chamberlain's proposal, to ask the Dominion Government to send over some responsible officer from Canada to discuss the question with Her Majesty's Government.

I am, &c.

(Signed)

F. H. VILLIERS.

No. 72.

Colonial Office to Foreign Office.—(Received June 16.)

(Secret.)

Sir,

Downing Street, June 16, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 14th instant, paraphrase of a telegram to the Governor-General of Canada on the subject of the Alaska boundary question.

I am, &c.

(Signed)

EDWARD WINGFIELD.

Inclosure in No. 72.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Secret.)

(Telegraphic.) P.

Downing Street, June 15, 1899.

WILL you request your Government to send to England with the least possible delay a representative fully acquainted with the Canadian side of the Alaska boundary question to discuss it with Her Majesty's Government, with a view to ascertaining whether some understanding can be reached as to policy to be pursued?

We have at present no information as to grounds upon which your Ministers rest their claim for upper waters of Lynn Canal and dispute United States' claim founded on occupation and settlement and tacit acquiescence in their interpretation of the Treaty of 1825. Moreover, it is desirable to avoid any impression that a difference exists on the question between Her Majesty's Government and the Canadian Government.

No. 73.

Colonial Office to Foreign Office.—(Received June 20.)

(Confidential.)

Sir,

Downing Street, June 20, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 13th instant, inclosing copy of a note from the United States' Ambassador at this Court, submitting the text of an Agreement for the establishment of a provisional boundary in the region of the Lynn Canal.

2. I am to request that you will inform the Marquess of Salisbury that Mr. Chamberlain has inquired by telegraph whether the Canadian Government see any objection to the text proposed by the United States' Government, and it appears from the accompanying telegram which has now been received from the Governor-General that the provisional line in the region of the Chilcat River contemplated by the Dominion Government, though it crosses that river at the same point as the line proposed by the United States' Government, would proceed north-east and south-west

from that point instead of practically following the Klehini River, as the line proposed by the United States.

3. The line proposed by Canada is shown by the dotted red line on the accompanying map, and that proposed by the United States by a dotted black line. The line proposed by Canada appears to be more in accord with the provisions of the Treaty than the other, and Mr. Chamberlain would propose that it should be offered to the United States with an intimation that Her Majesty's Government will be prepared with that modification to accept the provisional Agreement set out in Mr. Choate's note of the 10th instant.

4. I am to add that the straight black line A to B was marked on the map as received from Canada prior to the receipt of the telegram of the 18th instant.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure in No. 73.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

(Received June 18, 1899, 5.35 P.M.)

MY Ministers have considered the proposal of the United States' Government, transmitted in your telegram of the 14th instant, that provisional boundary on Dalton Trail be defined "at the junction of the Chilcat and Klehini Rivers, a mile and a-half, more or less, north of village of Klukwan and at the crossing of Klehini by Dalton Trail." They submit that this description would not be satisfactory, because the point where the trail crosses the Klehini is often shifted from one place to another on account of the annual flooding of the two rivers. They propose a line passing through junction of Chilcat and Klehini, covering both valleys, and to be defined as follows:—

Beginning at peak shown on sheet 18 of the survey made by British Commissioners under the Convention of 1892, which peak is marked on it 5975, and is nearly in latitude 59°10, and longitude 136°01, thence north-east in a direct line to a point on the southerly bank of the Chilcat River at the most easterly mouth of the Klehini, thence in continuation of same line, distance of 3 miles approximately to summit of first range of mountains to north-east of Chilcat River.

There would be no objection to having the provisional boundary marked as suggested.

Maps follow by post.

No. 74.

The Marquess of Salisbury to Mr. Tower.

(No. 82.)

(Telegraphic.) P.

Foreign Office, June 21, 1899.

REFERRING to my telegram No. 77, the bag sent to you last Saturday contained a further note from the United States' Ambassador, dated the 10th June.

The substance of the reply of the Canadian Government has been sent to Mr. Choate, and the Canadian Government have been asked to communicate it to you.

No. 75.

The Marquess of Salisbury to Mr. Choate.

Your Excellency,

Foreign Office, June 21, 1899.

THE qualifications suggested in your note of the 10th instant, with the object of rendering more definite and certain the provisional line proposed between Canada and the territory of Alaska, in the region of the Lynn Canal, were communicated without loss of time, by the Secretary of State for the Colonies, to the Dominion Government, who have now, by telegram, reported their views upon them.

The Canadian Government are of opinion that the proposed definition of the boundary on the Dalton Trail, viz., "at the junction of the Chilcat and Klehini Rivers

a mile and a half more or less north of the village of Klukwan, and at the crossing of Klehini by the Dalton Trail," would not be satisfactory, because the point where the trail crosses the Klehini is often shifted from one place to another on account of the annual flooding of the two rivers. They suggest, therefore, a line passing through the junction of the Chilcat and Klehini covering both valleys, to be defined as follows:—

Beginning at the peak shown on sheet 18 of the survey made by the British Commissioners under the Convention of 1892, which peak is marked on it 5975, and is nearly in latitude $59^{\circ}19'$ and longitude $136^{\circ}01'$, thence north-east in a direct line to a point on the south bank of the Chilcat River at the most easterly mouth of the Klehini, thence in continuation of the same line for a distance of 3 miles approximately to the summit of the first range of mountains to the north-east of the Chilcat River.

It will be seen that the line contemplated by the Dominion Government crosses the Chilcat River at the same point as that proposed by the United States' Government, but that it would proceed north-east and south-west from that point instead of practically following the Klehini River as would the line suggested in your Excellency's note.

The line proposed is thought to be more in accord with the provisions of the Treaty, and as the variation is of no great amount, I trust that it may meet with the assent of your Government.

Her Majesty's Government are willing to agree, subject to this slight modification, to the terms of the provisional Agreement set out in your Excellency's note under reply, and to unite without delay in taking steps, by international co-operation, for the establishment of a provisional boundary monument at each of the points therein established.

I have, &c.
(Signed) SALISBURY.

No. 76.

The Marquess of Salisbury to Mr. Tower.

(No. 137.)

Sir,

Foreign Office, June 21, 1899.

IN conversation with the United States' Ambassador to-day, I informed him that the Secretary of State for the Colonies had referred to the Canadian Government the proposed Agreement for a provisional line of boundary between the Dominion and Alaska, which was stated in his Excellency's note of the 10th instant in the following words:—

"It is agreed between the two Governments that the boundary-line between Canada and the Territory of Alaska, in the region about the head of the Lynn Canal, shall be provisionally fixed, without prejudice to the claims of either Party in the permanent adjustment of the international boundary, at the water-shed on the summit of White and Chilkoot Passes, and in the region of the Dalton Trail, at the junction of the Chilkat and Klehini Rivers, a mile and a-half, more or less, north of the village of Klukwan, and at the crossing of the Klehini by the Dalton Trail; and the two Governments further agree that the respective Customs outposts shall not be advanced beyond the points indicated. Steps shall be taken without delay to establish by international co-operation a provisional boundary monument at each of the points herein established."

I told Mr. Choate that the Canadian Government objected to this description on the ground that the point where the Trail crosses the Klehini is often shifted from one place to another on account of the annual flooding of the two rivers, and that they proposed a line passing through the junction of the Chilkat and the Klehini, covering both valleys and to be defined as follows:—

"Beginning at the peak shown on sheet 18 of the survey made by the British Commissioners under the Convention of 1892, which peak is marked on it 5975, and is nearly in latitude $59^{\circ}19'$ and longitude $136^{\circ}0\cdot1'$, thence north-east in a direct line to a point on the south bank of the Chilkat River at the most easterly mouth of the Klehini, thence in continuation of the same line for a distance of 3 miles approximately to the summit of the first range of mountains to the north-east of the Chilkat River."

There would be no objection to having the provisional boundary marked by monuments, as desired by the United States' Government.

I suggested that we might note on paper the points on which we were agreed, viz., that the United States should not go to the north of a dotted line in black on the map before us in accordance with the description given in his Excellency's note, and that Canada should not go to the south or south-east of a line, which had likewise been marked red, showing the proposal now made by the Canadian Government.

Having arrived at this preliminary agreement, we should leave the small intermediate sectors to be settled by negotiation as rapidly as possible.

I am, &c.
(Signed) SALISBURY.

No. 77.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, June 21, 1899.

I AM directed by the Marquess of Salisbury to transmit to you a copy of a note which his Lordship has addressed to the United States' Ambassador,* embodying the reply of the Canadian Government to the last proposal received from his Excellency in regard to the provisional boundary with Alaska.

I am to suggest that Mr. Secretary Chamberlain should request the Governor-General of Canada to communicate to Her Majesty's Chargé d'Affaires at Washington his telegram of the 18th instant, a paraphrase of which was inclosed in your letter of the 20th instant.

I am, &c.
(Signed) F. H. VILLIERS.

No. 78.

Mr. Tower to the Marquess of Salisbury.—(Received June 22.)

(No. 174.)

My Lord,

Washington, June 11, 1899.

I HAVE the honour to acknowledge the receipt of your Lordship's despatches Nos. 119 and 127, Confidential, of the 20th and 31st ultimo, respectively, as to the negotiations for referring the Alaska boundary question to arbitration. I transmit herewith copy of the note which I have this day addressed to the United States' Secretary of State, in obedience to your Lordship's instructions.

I have, &c.
(Signed) REGINALD TOWER.

Inclosure in No. 78.

Mr. Tower to Mr. Hay.

Sir,

Washington, June 11, 1899.

ON the 20th ultimo, the United States' Ambassador in London informed the Marquess of Salisbury that he had reported to you the proposal with regard to the Alaska boundary, which I had the honour to make to you in my note of the 18th ultimo.

Mr. Choate stated that your reply was to the effect that the result of the discussions between his Excellency and Sir Julian Pauncefoot had received the serious attention of the President and the Department of State, and that, after consultation with the members of the International Commission, it had been decided that the suggested scheme of arbitration set forth therein, although involving considerable concessions on the part of the United States, should be accepted as a measure of settlement.

Mr. Choate added, however, that you had, on the receipt of my note of the 18th ultimo, declared the new proposition, changing so completely the terms embraced in his Excellency's despatch to you of the 12th ultimo, to be wholly unacceptable, on the ground that it was equivalent to saying that if the decision of the Arbitrators was against the British claim, Great Britain was to have a port on the United States' coast, and that, if it was favourable, she was to have the coast itself.

In the view of Her Majesty's Government a more correct interpretation of the effect of this proposal would be that, if the decision of the Arbitrators is favourable to Great Britain, she, nevertheless, gives up two ports to the United States, and if it is favourable to the United States, they give up only one port to Great Britain.

Lord Salisbury further desires me to point out that Canada is, and always has been, perfectly willing to submit the whole question to arbitration unconditionally, and that the restriction asked for by Canada in regard to Pyramid Harbour is merely a form of equivalent to the proposal of the United States to withdraw Dyea and Skagway from the arbitration.

I have, &c.
(Signed) REGINALD TOWER.

No. 79.

Mr. Tower to the Marquess of Salisbury.--(Received June 22.)

(No. 176.)

My Lord,

Washington, June 12, 1899.

WITH reference to my despatch No. 150 of the 19th ultimo, I have the honour to transmit herewith copies of an order from the War Department, changing the nomenclature of two new military posts in Alaska.

1. At the mouth of the Tanana River.
2. At Eagle city.

I have, &c.
(Signed) REGINALD TOWER.

Inclosure in No. 79.

General Orders, No. 104.

*Headquarters of the Army, Adjutant-General's
Office, Washington, June 7, 1899.*

THE following order from the War Department is published for the information and guidance of all concerned :—

" War Department, Washington, May 29, 1899.

" By direction of the President, the new military post to be built at the mouth of the Tanana River, Alaska, will be hereafter known as Fort Gibbon, in honour of the late John Gibbon, Brigadier-General, United States' Army, long in command of the Department of which Alaska is a part, and who died 6th February, 1896, after fifty years of active service in the army.

" The new military post to be located at Eagle city, Alaska, will hereafter be known as Fort Egbert, in honour of the late Harry C. Egbert, Colonel, 22nd Infantry, and Brigadier-General, United States' Volunteers, who was killed while gallantly leading his regiment in action at Malinta, Philippine Islands, March 26, 1899.

" R. A. ALGER, Secretary of War.

" By command of Major-General Miles,

" H. C. CORBIN, Adjutant-General."

No. 80.

Colonial Office to Foreign Office.—(Received June 23.)

(Confidential.)

Sir,

Downing Street, June 23, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 21st instant, inclosing copy of a note addressed to the United States' Ambassador, embodying the reply of the Dominion Government to the last proposal received from his Excellency with regard to the establishment of a provisional boundary in the region of the Lynn Canal.

2. I am to request you to inform the Marquess of Salisbury that, in accordance with the suggestion made in the last paragraph of your letter, the Governor-General of Canada was instructed on the 21st instant to repeat his telegram of the 18th instant to Her Majesty's Chargé d'Affaires at Washington.

I am, &c.

(Signed) H. BERTRAM COX.

No. 81.

The Marquess of Salisbury to Mr. Tower.

(No. 138.)

Sir,

Foreign Office, June 24, 1899.

I HAVE received your despatch No. 174 of the 11th instant, and I approve the note which you addressed to the United States' Government, in accordance with your instructions, expressing the views of Her Majesty's Government as to the effect of the proposal recently made by Great Britain for referring the Alaska boundary question to arbitration.

I am, &c.

(Signed) SALISBURY.

No. 82.

Colonial Office to Foreign Office.—(Received June 27.)

(Confidential.)

Sir,

Downing Street, June 26, 1899.

WITH reference to your letter of the 14th instant, I am directed by Mr. Secretary Chamberlain to transmit to you, for the information of the Marquess of Salisbury, paraphrase of a telegram from the Governor-General of Canada reporting that his Ministers are unable at present to send any Representative to England to discuss the Alaska boundary question with Her Majesty's Government, but that they will at an early date submit a Memorial containing the arguments on which they base their case.

2. Mr. Chamberlain proposes to await the receipt of this Memorial before considering what further action should be taken in regard to a final settlement of the boundary question.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure in No. 82.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

[Received June 22, 1899.]

IT is impossible for my Ministers to send anybody at present to England to present their Case on the Alaska boundary, but Memorial containing arguments on which they rest it will be sent at an early date. They, however, again urge that no reason can be set forth against referring the question to arbitration on the terms of

the Venezuelan precedent, which would authorize Arbitrators not only to construe the Treaty of 1825, but also to modify its provisions according to the equities that may have arisen, if such equities can be successfully established by either party to the arbitration.

No. 83.

Mr. Tower to the Marquess of Salisbury.—(Received June 27.)*

(No. 55.)

(Telegraphic.) P.

Washington, June 27, 1899.

IN a conversation I had with the Secretary of State this morning, he informed me that he has sent instructions to Mr. Choate to make an urgent appeal to your Lordship against the last proposal of the Canadian Government contained in the Governor-General's telegram to the Secretary for the Colonies, dated the 8th June, and repeated to me.

Mr. Hay urges that a line drawn north-east across the junction, instead of one following for a few miles the River Klahini, offers great disadvantages. Canada, he says, will incur grave embarrassment from its adoption, as large numbers of American miners are settled in the district to the south of the Klahini, which would thus be included within Canadian territory. These miners are chiefly American citizens whom the British Columbian Mining Laws have driven from the Atlin district.

Mr. Hay attaches small importance to the objection raised by the Canadian Government as to floods.

Mr. Hay begged me to again impress on your Lordship the urgency of arriving promptly at some agreement.

No. 84.

Mr. Choate to the Marquess of Salisbury.—(Received June 28.)

My Lord,

American Embassy, London, June 28, 1899.

I HAVE the honour to inform your Lordship that I duly received on the evening of the 21st instant your Lordship's letter of that date, communicating to me the latest proposition of the Canadian Government in respect to a *modus vivendi* boundary at the junction of the Klekini and Chilcat Rivers; and in accordance with your suggestion, I immediately cabled the substance of the same to the Secretary of State. The line so suggested seemed to me, as I stated at the time to your Lordship, to differ radically from all that had previously been proposed by either side for this provisional boundary, by laying open to Canada a tract of territory south of the Klekini River, of which the United States had undisputed possession, and over which it exercised jurisdiction.

There was also some confusion, as it appeared to me, in the proposed line, inasmuch as a line projected north-east from the peak marked 5975 would pass south of Klukwan, and the express words of our previous proposition defining the boundary as at a certain distance north of the Indian village of Klukwan were omitted. I therefore apprehended that my Government would not be able to accept the proposition communicated in your note of the 21st, and so it proved. For I have received, as I stated to your Lordship in the interview which you kindly granted me yesterday, instructions to inform your Lordship that my Government is unable to accept the line proposed, and instead of that, to urge upon Her Majesty's Government, as earnestly as possible, the southerly bank of the Klekini from its junction with the Chilcat to where it is crossed by the Dalton Trail as a more definite line, and one which avoids the difficulties which I have already pointed out. I pressed this upon your Lordship yesterday, and have now put it in writing as you suggested then. As we clearly agree upon the junction of the two rivers, Chilcat and Klekini, it would seem that we ought to be able very easily to adopt the line which my Government here proposes.

I desire to press upon your Lordship, with all possible earnestness, the prompt acceptance of this proposition. The protracted consideration of this very limited question of a *modus vivendi* is having a most disquieting effect, and since our interview of yesterday I have received advices which compel me to believe that unless it is

* Sent to Colonial Office, June 28.

soon settled some disturbance may ensue which it is our mutual desire to prevent and avoid.

My information is that there are many Americans in occupation south of the Klehini River, in what they have considered undisputed territory, and who have been, and are, under the jurisdiction of the United States, and now to transfer them to the jurisdiction of Canada, as the proposition contained in yours of the 21st would do, would, I suggest, be a serious embarrassment to both Governments.

I cannot see that any harm could possibly come to any one from the acceptance of this offer of my Government for the strictly provisional and temporary purposes of a *modus vivendi*, whereas great mischief would necessarily follow from an adoption of the last suggestion of the Canadian Government, or from leaving things to remain as they are.

I therefore would most earnestly urge your Lordship to take the matter into immediate and serious consideration, and to accept provisionally the line now tendered by my Government, viz., the southerly bank of the Klehini from its junction with the Chilcat to where it is crossed by the Dalton Trail. My Government feels that it ought not to be expected to make the concessions involved in the last proposition of Canada.

I hope to wait upon your Lordship again to-day.

I have, &c.

(Signed) JOSEPH H. CHOATE.

No. 85.

Colonial Office to Foreign Office.—(Received July 1.)

(A.)
(Confidential.)

Sir,

Downing Street, June 30, 1899.

I AM directed by Mr. Secretary Chamberlain to acquaint you that he has had before him your letter of the 28th instant, inclosing copy of a telegram from Her Majesty's Chargé d'Affaires at Washington, reporting that the United States' Secretary of State objects to the provisional line on the Chilkat proposed by the Dominion Government.

He has also received your further letter of the same date, inclosing copy of a note from the United States' Ambassador at this Court, setting forth the objections of his Government to the line proposed by Canada.

The main object of these objections is, no doubt, the desire to secure to the United States the rich find of placer gold discovered last year on the south bank of the Klehini River—an account of which will be found on pp. 40, 99, and 103-4 of the second part of the inclosed Report* of the North-west Mounted Police, which has just been received from Canada.

I am to point out that the boundary-line laid down by the Treaty of 1825 is one parallel to the coast; and that, for the purpose of a provisional line, the shores of the Lynn Canal have been accepted, but without prejudice, as part of the coast, and the provisional line should therefore be, as far as possible, in accordance with the Treaty stipulations, generally parallel to the shores of that channel. In suggesting a line following the Klehini, the United States ask for one parallel, not to the shores of Lynn Channel, but to the coast of the ocean—and at a distance from the ocean far in excess of the 10 leagues prescribed by the Treaty as the maximum, while the line suggested by Canada north-east and south-west through the junction of the Klehini and Chilkat is actually more favourable to the United States than the Treaty prescribes.

In these circumstances, it appears to Mr. Chamberlain impossible for Her Majesty's Government to press the Dominion to accept a line which would practically leave the whole of the south bank of the Klehini below the Canadian post at Dalton Cache in the possession of the United States, and allow United States' citizens to acquire rights there which would prejudice a final adjustment of the question.

Even if the United States' contention that the boundary should pass round the head of the Lynn Channel is correct, it should, in accordance with the stipulations of the Treaty, run along the succession of lofty peaks bordering the channel, so that, under any circumstances, the line asked for by Canada is favourable to the United States.

* Extracts are given in Inclosure.

The United States, moreover, have had full notice of the claims of Canada on that part of the boundary, and though there might be some justification for refusing to recognize interests created in an area under debate after such notice, Mr. Chamberlain would suggest that the difficulty raised by the United States' Government as to the rights already acquired since the spring of last year by United States' citizens in the placer diggings on the south bank of the Klehini, could be met by an agreement on the part of the Dominion Government, to respect any rights already *bonâ fide* acquired by United States' citizens, and if Lord Salisbury concurs, Mr. Chamberlain would suggest that Mr. Tower should be instructed to repeat his telegram of the 27th instant to the Governor-General of Canada, and that a telegram should be sent to Lord Minto urging him to obtain from his Ministers an undertaking that all *bonâ fide* rights acquired by United States' citizens on the Canadian side of the provisional line proposed by his Government would be fully respected.

If, as Mr. Chamberlain expects, the Canadian Government agree to this suggestion, he presumes that the objections of the United States' Government to accepting the line proposed by Canada will be removed, and the provisional arrangement can then be completed.

I am to point out that all through this controversy the Dominion Government has refrained from exercising any rights or jurisdiction over territory regarded as debateable, while, on the contrary, the United States have been steadily granting rights up to the extreme limits of their claim.

It is impossible for Her Majesty's Government to admit that rights only just created in these circumstances should be seriously regarded in comparison with the more important interests of both countries in having as little disturbance as possible to existing rights and jurisdiction when a line is finally settled.

That such a final settlement can be reached at an early date does not at present appear probable, and it is the more important, therefore, that in the permanent interests of the country the provisional line should be fixed as far as may be on the lines indicated by the Treaty, and intermediate between the extreme pretensions of the parties.

I am to add that Mr. Choate appears to be in error in supposing that the line proposed by Her Majesty's Government would cut the village of Klukwan. It would, as a matter of fact, cross the Chilcoot at its most easterly junction with the Klehini, which is practically identical with the point at which the line proposed by the United States would cross the former river, and is $1\frac{1}{2}$ miles to the north of the village.

I am, &c.

(Signed) H. BERTRAM COX

Inclosure in No. 85.

Extracts from Report of North-West Mounted Police, 1898.

Page 40.—ON the 2nd September a rich placer strike was made near Boulder Creek, between our Dalton Trail Post and Pyramid Harbour—a couple of men took out over 400 dollars in a few days, some of the nuggets being valued at 2 dollars, 11 dollars, and 18 dollars. Towards the end of October a still richer find was made on this creek. Cold weather coming on stopped the work, but not till it was ascertained that the creek was a remarkably rich one. The Americans are taking it for granted that these diggings are in the United States' territory, and are acting accordingly. Nevertheless, when Mr. Dalton had his trail surveyed for the purposes of getting his charter from the Government of Alaska, the United States' Surveyors would not go farther than Boulder Creek, claiming that it was on the international boundary.

Page 99.—About 10 miles from Pyramid Harbour the trail turns off to the south, and cuts into a range of mountains, keeping away from the Chilkat River until opposite Klukwan at the mouth of the Salmon River. The crossing there is deep, but not swift, except on very warm days. Two men lost their lives there this summer by drowning (see "Accidents and Drownings"). The hills are again taken to about 4 miles above the mouth of the Kleheela River. From there the river bed is followed for about 2 miles, and the Kleheela is crossed near the mouth of Boulder Creek. Just there, before making the crossing, is where the rich find of placer gold was made this fall. . . . Boulder Creek is where he and other Americans claim the international boundary is,

and it is where they ended the survey of the road. This creek is between 8 and 10 miles below the Dalton Trail Post.

Porcupine Creek.

Pages 103, 104.—This creek is between 8 and 10 miles below Dalton Trail Post, and is claimed as United States' territory. It is so close to the disputed Alaskan boundary that it is worth investigating. The creek was discovered last spring by a party of four Americans, who were heading for the "inside;" they worked all summer on the east branch of the creek, and took out several hundred dollars in coarse gold nuggets. Late in September of this year, Mr. Dalton outfitted several of his men who had been working for him during the summer, and about the 1st October these men went over on the west branch of the creek, and in about fifteen minutes they took 165 dollars out of one pocket. The formation is an old moraine, and where discovery claim is, gold can be seen with the naked eye. I was shown a nugget valued at 18 dollars taken from this claim, I also saw about 400 dollars in gold that was taken from the east branch of the creek.

This strike, I am informed, is in the same belt as the very rich mines to the eastward at Seaward City, where the celebrated mines are in Alaska. I camped on the 1st October opposite the mouth of this creek with my party, *en route* for the Yukon. A number of claims have been staked and recorded at Sitka, Alaska, 20 acres—a small-size farm—is allowed for a claim in the United States' territory. A town site has been taken at the mouth of the creek, and I am informed that an hotel is to be erected at once.

795 dollars was collected by me for placer mining, 46 dollars for mining assignments, 570 dollars for mining licences. A large number of the people going over the trail had procured licences at Vancouver and Victoria, as they were informed that they could only procure them at these two points and at Dawson.

No. 86.

Colonial Office to Foreign Office.—(Received July 1.)

(B.)

(Confidential.)

Sir,

Downing Street, June 30, 1899.

WITH reference to the letter from this Department of even date respecting the Alaska boundary, I am directed by Mr. Secretary Chamberlain to transmit to you, for the information of the Marquess of Salisbury, paraphrase of a telegram which has been sent to the Governor-General of Canada on the subject.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure in No. 86.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Confidential.)

(Telegraphic.) P.

Downing Street, June 30, 1899.

CONFIDENTIAL line proposed by Canada as provisional boundary strongly protested against by United States' Government on ground that there is a large mining camp of United States' citizens now at work in area which would be transferred to Canada, and that if this were done disturbances would be probable.

It would be fatal to prospects of early settlement, if disturbances ending in bloodshed did occur.

While Her Majesty's Government agree with your Ministers that line which they propose is equitable, provisional arrangements are always based on *status quo*, and we desire your Ministers earnestly to consider the fact that influx of United States' citizens is daily altering *status quo* to detriment of Canada, and that miners may at any moment be at work right up to Dalton Trail Post.

It therefore appears to us that it is desirable that a provisional line should be agreed to without delay, both in immediate interests of Canada and because this course would be likely to pave the way for permanent settlement.

We propose to press United States to accept line proposed by Canada with an assurance that Canada will respect existing private rights acquired *bonâ fide*, but we hope your Ministers will acquiesce if this is not accepted, and we find it necessary to accept line proposed by United States to Boulder Creek.

Would it not also be desirable to fix point where line would cross Takhin?

No. 87.

The Marquess of Salisbury to Mr. Choate.

Your Excellency,

Foreign Office, July 1, 1899.

THE correspondence which has passed between the United States' Government and that of Her Majesty, as well as the negotiations and other diplomatic intercourse which have taken place both here and at Washington, have left on the minds of Her Majesty's Ministers a strong impression that no effective progress will be made in coming to an agreement upon the subjects which divide the two countries without the assistance of arbitration. This appears to be especially the case with respect to the Alaska boundary. The different signification which the two Governments attach to the language of the Treaty of 1825 is not of a character which appears likely to be adjusted by the method of explanation or argument on the two sides. Some of the ablest men belonging to both nations have now for several months devoted the utmost erudition and acumen to this discussion, but the attainment of an agreement seems to be no nearer than when the communications began. Her Majesty's Government feel that no satisfactory agreement between the two countries can be arrived at until the difference with respect to the Alaska boundary has been adjusted, and that this adjustment can only be attained by the process of arbitration.

Much of course will depend upon the manner in which the subject of controversy is presented to the tribunal selected for arbitration, and upon the conditions by which the Arbitrator's decisions are shaped and limited. Upon this matter some preliminary discussion has already taken place between the two Governments, but no formal expression of opinion on either side in this respect, has as yet been arrived at. In order to ascertain whether any formal difference exists between them in this respect, and to pave the way, if possible, for an ultimate agreement, I have, on behalf of Her Majesty, to propose to your Excellency that the Treaty of Arbitration adopted between this country and Venezuela, with the assent and largely at the instance of the United States, shall be applied to the determination of the Alaska boundary which is now under discussion. That Treaty is now receiving its application at Paris, and during the three years which have elapsed since its conclusion, no question as to its fairness or applicability has arisen between the Contracting Parties. I am not able to find in its terms anything which is inapplicable, or which would be inconsistent with an equitable and conclusive solution of the Alaskan controversy. It is possible that in some respects its details may be improved, but such as they are they appear to Her Majesty's Government to be adequate for the purpose which we have in hand; and I have to request that your Excellency will lay before the President the proposal of Her Majesty's Government that the Venezuela Treaty, as it stands, shall be applied to the determination of the Alaska boundary between the Dominion of Canada and the United States.

I have, &c.

(Signed) SALISBURY.

No. 88.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, July 4, 1899.

WITH reference to your letter of the 30th ultimo respecting the negotiations for fixing a provisional line of boundary in the neighbourhood of the Lynn Canal, I am directed by the Marquess of Salisbury to inform you that Her Majesty's Chargé d'Affaires at Washington was instructed on the 1st instant to repeat to the Governor-General of Canada his telegram No. 55 of the 27th ultimo.

No. 89*.

Mr. Tower to the Marquess of Salisbury.—(Received July 6.)

(No. 184.)

My Lord,

Washington, June 27, 1899.

MR. HAY spoke to me this morning at considerable length on the subject of the last Canadian proposal for the provisional boundary line, mentioned in your Lordship's telegram No. 82 of the 21st instant and specified in the Earl of Minto's telegram to the Secretary of State for the Colonies of the 18th instant, which was repeated to me from Ottawa on the 22nd instant.

Mr. Hay stated that he could see serious objection to the Canadian alternative of drawing the line from the peak marked on the map as 5975, and running in a north-easterly direction through the junction of the Rivers Klahini and Chilkat, until it reached the summit of the first range of mountains to the north-east of the River Chilkat.

He told me that the Canadian argument against the impracticability of the junction of the rivers being taken as the point of demarcation, owing to annual floods, would work with equal force on both sides and would necessitate precautions being taken, but he was of opinion that a line drawn for some miles along the bank of the River Klahini to its junction with the Chilkat, namely, running approximately east and west, offered little ground for objection.

Mr. Hay added that the district to the south of the Klahini, which by the last Canadian proposal would be included in Canadian territory, contained a large settlement of American miners, who had been driven thither by the British Columbian Mining Laws. The settlement is known as the Porcupine diggings, though the extent of gold deposit there seems not to be determined. He said that these United States' citizens would probably refuse to obey the Canadian police except by force, and such an unfortunate consummation would cause the gravest embarrassment to both Governments, chiefly so, Mr. Hay thinks, to that of the Dominion.

He pointed to the fact that the United States' Government had already, in the course of negotiations for a provisional settlement, receded step by step from the boundary claimed by them; this conciliatory spirit being shown by them for the purpose of arriving at an immediate arrangement satisfactory to both parties, and he greatly feared that such a settlement as that now proposed by Canada might lead to aggravated trouble.

The Secretary of State has instructed Mr. Choate to make an appeal to your Lordship against the Canadian proposal, and begged me to report the extreme urgency of the case. Mr. Hay thought there could be little objection to drawing the line, as he would suggest, for a few miles along the Klahini River to its junction with the Chilkat River.

I have reported to your Lordship briefly, by telegraph this day, Mr. Hay's remarks.

I have, &c.

(Signed) REGINALD TOWER.

Lord Salisbury observes, from your subsequent letter of the 30th ultimo, that Mr. Secretary Chamberlain has already telegraphed to the Earl of Minto with regard to the last communication made on the subject by the United States' Government.

I am, &c.

(Signed)

F. H. VILLIERS.

No. 89.

Mr. Tower to the Marquess of Salisbury.—(Received July 5.)

(No. 57.)

(Telegraphic.) P.

Washington, July 5, 1899.

I HAVE received from the Governor-General of Canada a telegram, dated the 4th July, containing a new proposal for a provisional boundary of Alaska.

This telegram was also sent to the Secretary of State for the Colonies.

Does your Lordship wish me to communicate with the United States' Government on the subject?

No. 90.

Colonial Office to Foreign Office.—(Received July 7.)

(Confidential.)

Sir,

Downing Street, July 7, 1899.

WITH reference to your letter of the 4th instant respecting the Alaska provisional boundary, I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, a copy of a telegram from the Governor-General in reply to the telegram sent from this Department of the 30th June.

2. I am to inclose a copy of a telegram which Mr. Chamberlain has addressed to the Governor-General in reply, and I am to state that he would suggest, for Lord Salisbury's consideration, that, if the Canadian Government accept the suggestion made in that telegram, Mr. Tower should be instructed to propose to Mr. Hay the line now offered by the Canadian Government, on the understanding that if it would result in transferring to Canadian jurisdiction any *bonâ fide* American settlement, or *vice versâ*, the officials appointed to mark the provisional line shall deflect it so far as may be actually necessary to leave such American or Canadian settlements on the American or Canadian side as may be the case.

I am, &c.

(Signed)

H. BERTRAM COX.

Inclosure 1 in No. 90.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

July 4, 1899.

I HAVE submitted to my Ministers your telegram of the 30th June.

Although they are anxious to facilitate agreement on provisional boundary, they strongly represent that last proposal of United States' authorities to have Klehini River as far as Boulder Creek adopted as boundary is most objectionable.

The Dalton Trail coming from south-east direction descends to Klehini River about 1 mile west of the forks of the Chilkat; then, for a distance of $4\frac{1}{2}$ miles to within about half-a-mile of Boulder Creek, follows the river flat, crossing and re-crossing the stream at various points according to height of water. Over that distance the river flows through many channels over a bed of gravel and boulders about half-a-mile wide, sometimes filling the whole bed, and sometimes shrunk to the dimensions of a very small stream. To make the river the boundary under such circumstances would create a prolific source of contests as to jurisdiction in the case of criminals having to be prosecuted: no boundary which does not cross the valley from one range of mountains to the other can be satisfactory.

The following line would be accepted by my Ministers, although involving a concession from their former proposition :—

Beginning at summit marked 5,700 on sheet No. 18 of the surveys made under the Convention of 1892 by the British Commission, said summit lying approximately in latitude $59^{\circ} 18'$ and longitude $136^{\circ} 16'$ northward to a summit marked on the same sheet 2,800 in latitude $59^{\circ} 23'$ and longitude $136^{\circ} 10'$. Thence in a direct line to the junction of Klehini and Chilkat Rivers, thence in the same line produced a distance of 4 miles more or less to the summit of the mountains bordering the valley of the Chilkat River to the north-east.

Map follows by mail.

According to our information, all American miners are south of above line, and therefore would be in American territory.

My Ministers believe that their information on this subject is accurate, and that the above line is in accordance with *status quo* of American settlements in that section.

I have repeated this message to Mr. Tower.

Inclosure 2 in No. 90.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Telegraphic.) P.

Downing Street, July 6, 1899, 5.50 P.M.

STATEMENT made in your telegram of the 4th instant as to position of United States' miners and other citizens south of Klehini appears to differ from account given at pp. 103-4 of Jarvis' Report in Sessional Paper No. 15.

If there is *bond fide* settlement of United States' citizens on Canadian side of line now suggested, it should be deflected so far as may be necessary to leave such settlement on United States' side of boundary and *vice versa*.

This addition will, I presume, be agreed to by your Ministers.

Please send your reply by telegraph.

No. 91.

Mr. Choate to the Marquess of Salisbury.—(Received July 10.)

My Lord,

American Embassy, London, July 8, 1899.

I HAVE the honour to remind your Lordship that I am still awaiting your Lordship's reply to my note of the 28th June, relating to the proposed *modus vivendi* as to the Alaskan boundary, and this with much anxiety, because of the constant advices that reach me of the risk of disturbance, which both Governments would greatly regret.

I have, &c.

(Signed) JOSEPH H. CHOATE.

No. 92.

Mr. Choate to the Marquess of Salisbury.—(Received July 10.)

My Lord,

American Embassy, London, July 8, 1899.

I HAVE the honour to acknowledge the receipt of your Lordship's note of the 1st July, proposing an arbitration of the Alaskan Boundary question; and, in accordance with your Lordship's request, immediately upon its receipt, I communicated the substance of it by cable, and by the first subsequent mail a full text of the note was transmitted to the Department of State.

I hope soon to have the pleasure of receiving and submitting to your Lordship the President's views.

I have, &c.

(Signed) JOSEPH H. CHOATE.

No. 93.

Colonial Office to Foreign Office.—(Received July 12.)

(Confidential.)

Sir,

Downing Street, July 12, 1899.

WITH reference to the letter from this Department of the 26th ultimo, inclosing copy of a telegram from the Governor-General of Canada, announcing the intention of his Ministers to submit a Memorial setting forth the grounds on which they rest the claim of Canada to the upper waters of the Lynn Canal, I am directed by Mr. Secretary Chamberlain to forward to you, for the information of the Marquess of Salisbury, copy of a despatch from Lord Minto, in which, pending the transmission of such a Memorial, he indicates the general position assumed by his Ministers with respect to the Alaska boundary question.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure in No. 93.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Secret.)

Sir,

Government House, Ottawa, June 22, 1899.

IN answer to your cable message of the 15th June, informing me that Her Majesty's Government "have at present no information respecting the grounds upon which your responsible advisers rest their claim for the upper waters of the Lynn Canal and dispute with the United States' claim founded on settlement and occupation and tacit acquiescence in their interpretation of the Treaty of 1825," and requesting that a Representative acquainted with the Canadian side of the question may be sent to discuss it with Her Majesty's Government, I have already replied by cable that my Government is at present unable to send a Representative.

My Ministers much regret their inability to do so, but urgent Parliamentary work renders it impossible at present to send a Representative who could put forward with sufficient weight the immensely important interests of Canada.

My Ministers therefore propose to ask me to forward a Memorial stating the basis upon which the claims of Canada, in reference to the Alaskan boundary, are founded.

In view of the transmission to you of such a Memorial, it is not, I think, advisable for me to do more than to refer to the general position my Ministers assume in respect to the Alaska boundary.

The case for Canada was very ably argued by the late Lord Herschell before the International Commission, and my Ministers are deeply sensible of the loss Canada has sustained in his lamented death at the time when his able advocacy would have been of invaluable assistance to them.

The strength of the arguments put forward by him was, I understand, recognized by the United States' Commissioners.

Though the delimitation under consideration included districts extending from the southernmost point of Prince of Wales' Island to Mount St. Elias on the 141° west longitude, the question before the Commissioners practically resolved itself into the consideration of the rival claims of Canada and the United States to the coast encircling the waters of the narrow inlet called the Lynn Canal, at the extreme end of which are the small towns of Dyey and Skagway and the Settlement of Pyramid Harbour.

The contention of Canada being that the boundary-line should be the summit of the mountains parallel to the coast of the mainland, except where the summit is more than 10 marine leagues distant from the coast, when the boundary-line shall not exceed that distance, and that the boundary-line, as so laid down, should cross the mouth of the Lynn Canal from mountain summit to mountain summit. the 10 marine leagues to be measured from the coast on the mainland, no claim being put forward by Canada to the numerous islands bordering the coast which are recognized as United States' territory.

The United States' contention is, that the boundary east and north of the Lynn Canal in the direction of the White and Chilcoot Passes, should be in the vicinity of Lake Bennett, a distance of about 30 miles from the waters of the said Lynn Canal.

The Canadian Commissioners base their argument entirely on the interpretation of the Treaty of 1825 between Great Britain and Russia, but my Ministers, I think, very rightly consider that in order to arrive at a fair interpretation of the Treaty, great assistance will be derived from a careful examination of the negotiations between Great Britain and Russia, which preceded its ratification and which are fully referred to in the confidential correspondence of Lord Herschell, transmitted to me under cover of your despatch of the 28th April last.

The perusal of that correspondence would appear to me to lead to the inference that the present contention of the United States relies more upon the claims put forward by Russia during the negotiations than upon what she actually obtained by the conditions of the Treaty.

It must also be borne in mind that since Vancouver's coast survey at the end of last century, there has been no land survey of the district in question until 1892, and that the shores of the Lynn Canal was almost unexplored till the Yukon gold discoveries brought those regions into notice and raised to importance the Settlements of Dyea and Skagway as harbours, and as suitable points from which to establish communication with the inland possessions of Canada.

Under these circumstances, the charge against Canada of any absence of protest against United States' Settlements in regions so little frequented can hardly seem to be a grave one, but as a matter of fact negotiations were entered into about 1873 to have a joint survey, by the American and Canadian Governments, of the frontier in the neighbourhood of Lynn Canal, which survey fell through owing to the requisite funds not being forthcoming from the United States.

My Ministers quite recognize that the circumstances of the present day and the creation of vested interests in the districts surrounding the Lynn Canal may make it impossible to deal with the differences in question by a strict interpretation of the Treaty of 1825, and with this view they believe that they have shown every wish to make any fair compromise between Canada and the United States.

Their suggestions, however, have not been accepted, and they now consider that in deciding upon arbitration on the terms of the Venezuelan reference the United States and Canada could safely rely not only on a fair interpretation of the Treaty, but on a just recognition of the vested interests of either country.

I have, &c.
(Signed) MINTO.

No. 94.

The Marquess of Salisbury to Mr. Tower.

(No. 147. Confidential.)

Sir,

Foreign Office, July 12, 1899.

AT an interview to-day I communicated to the United States' Ambassador the substance of a telegram from the Governor-General of Canada, dated the 11th instaut, of which a copy is inclosed,* containing a further expression of the views of the Dominion Government in regard to the proposal for a provisional line of boundary in the neighbourhood of the Lynn Canal.

His Excellency said he was not aware of the localities of the creeks mentioned, and I admitted that I was in exactly the same condition. We were therefore hardly in a position to discuss the new proposals. He promised to try and obtain further information on the subject.

I said that I understood that the Canadian posts were not within some distance of the foremost American miners on the south side of the Klehini River, so that the danger of a collision seemed not so imminent to us as it appeared to him.

With regard to the general question of the boundary between Canada and Alaska I then made the following suggestion, which I said I had reason to believe the Canadian Government would accept. It was that Canada should have a perpetual lease of territory to the extent of half a square mile at a suitable spot on the Lynn Canal on similar conditions to the one on which territory is held by Her Majesty's Government at the Chinde mouth of the Zambezi River, with liberty to construct a railway from there to *British Columbia*.† Mr. Choate expressed the opinion that this was a suggestion which had

* See Inclosure in No. 96.

† Words "Yukon territory" subsequently substituted (see No. 98, *infra*).

already been disposed of by the Commission, but he desired to have it in writing, so that he might submit it to his Government without danger of mistake.

I propose, with the concurrence of the Secretary of State for the Colonies, to convey it to his Excellency in the terms I have used in this despatch.

I am, &c.
(Signed) SALISBURY.

No. 95.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, July 12, 1899.

WITH reference to Lord Minto's telegram of the 11th instant, a paraphrase of which was inclosed in your letter of to-day, I am directed by the Marquess of Salisbury to transmit to you a copy of a despatch which his Lordship has addressed to Her Majesty's Chargé d'Affaires at Washington,* recording what passed at an interview this afternoon with the United States' Ambassador.

Lord Salisbury would wish to be informed whether Mr. Secretary Chamberlain agrees to the terms in which he proposes to convey to Mr. Choate, in writing, the suggestion for a lease of territory on the Lynn Canal, on conditions similar to those on which Her Majesty's Government hold territory at the Chinde mouth of the Zambezi River.

I am, &c.
(Signed) F. H. VILLIERS.

No. 96.

Colonial Office to Foreign Office.—(Received July 13.)

(Confidential.)

Sir,

Downing Street, July 12, 1899.

WITH reference to the letter from this Department of the 7th instant respecting the provisional boundary on the Dalton Trail, I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, copy of a telegram from the Governor-General of Canada on the subject.

Mr. Chamberlain gathers from this message that the Dominion Government adhere to their statement, that the provisional line proposed in Lord Minto's telegram of the 4th instant would not include any part of the Porcupine Creek Mining Camp in Canadian territory, and, in view of the admitted vagueness of the Klehini as a boundary, request that the United States, if they are not satisfied with the Canadian proposal, should propose another, and definitely trace it on a map, so that there may be a clear basis of discussion.

In view of the considerations stated in the letter from this Department of the 30th ultimo this request of the Dominion Government appears reasonable, and Mr. Chamberlain would suggest that Her Majesty's Chargé d'Affaires at Washington should be instructed to propose to the United States' Government the line described in the telegram from Lord Minto of the 4th July, and that if it is objected to on the same ground as the former proposal, he should ask the United States' Government to show on the map where the United States' Settlements are, and to indicate, by tracing on the map, how they would propose to draw the provisional line so as to leave such Settlements within American jurisdiction pending a final settlement.

This letter is written on the assumption that it is desirable to fix a provisional boundary, and that the United States' Government are unable to accept the suggestion for a final settlement, which has been the subject of discussion between Lord Salisbury and Mr. Chamberlain.

I am, &c.
(Signed) C. P. LUCAS.

* No. 94.

Inclosure in No. 96.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

[Received July 12, 1899, 8 A.M.]

IN reply to your telegram of 6th instant :

My Ministers desire to state that they are anxious to avoid complications where the Americans have actually placed mining camps. They call attention to the fact that United States' Government have proposed Klukwan as basis of provisional boundary, and that this suggestion has been adopted by Canada. The last American proposal, viz., to extend line from Klukwan to Boulder Creek along Klehini River, comprised no provision for Porcupine Creek, which was not considered by my Ministers. Let United States definitely propose a line and trace it on map, so that there may be a clear basis for discussion.

No. 97.

Mr. Tower to the Marquess of Salisbury.—(Received July 17.)

(No. 191.)

My Lord,

Washington, July 1, 1899.

I HAVE the honour to report that, in compliance with your Lordship's telegram No. 87 of to-day, I have this day repeated to the Earl of Minto my telegram No. 55 to your Lordship of the 27th ultimo, reporting my conversation with the United States' Secretary of State concerning the last Canadian proposal as to the Alaska boundary.

I have likewise sent to his Excellency by mail a copy of my despatch No. 184 to your Lordship of the 27th ultimo.

I have, &c.
(Signed) REGINALD TOWER.

No. 98.

Colonial Office to Foreign Office.—(Received July 18.)

(Confidential.)

Sir,

Downing Street, July 18, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 12th instant, inclosing copy of a despatch which the Marquess of Salisbury has addressed to Her Majesty's Chargé d'Affaires at Washington, reporting the substance of an interview with the United States' Ambassador at this Court on the subject of the Alaska boundary question.

2. Mr. Chamberlain concurs in Lord Salisbury's proposal to convey to Mr. Choate, in writing and in the terms used in that despatch, the suggestion for a lease of territory on the Lynn Canal, on conditions similar to those on which Her Majesty's Government hold territory at the Chinde mouth of the Zambezi River.

3. I am, however, to suggest that the words "Yukon territory" should be substituted for the words "British Columbia" used in paragraph 4 of the despatch to Mr. Tower.

4. The Dominion Government have been informed by telegraph that a lease of territory has been proposed by Her Majesty's Government as a solution of the boundary difficulty.

I am, &c.
(Signed) H. BERTRAM COX.

No. 99.

The Marquess of Salisbury to Mr. Choate.

Your Excellency,

Foreign Office, July 18, 1899.

IN accordance with your request, I have now the honour to submit to you in writing the proposal which I briefly discussed with you at our interview on the 12th instant with reference to the general question of the Alaska boundary.

My suggestion, which, as I stated, I have reason to believe the Canadian Government would be prepared to accept, was that Canada should have a perpetual lease of territory to the extent of half-a-square mile at a suitable spot on the Lynn Canal, on similar conditions to those on which territory is held by Her Majesty's Government at the Chinde mouth of the Zambezi River, with liberty to construct a railway from there to the Yukon territory.*

I shall be glad if your Excellency will submit this proposal to your Government, and trust that it may meet with a favourable consideration.

I have, &c.
(Signed) SALISBURY.

No. 100.

The Marquess of Salisbury to Mr. Tower.

(No. 91.)

(Telegraphic.) P.

Foreign Office, July 19, 1899.

REFERRING to your telegram No. 57 of the 5th July, you may suggest, for the consideration of the United States' Government, as a suitable provisional boundary for Alaska, the line described in the telegram from the Governor-General of Canada of the 4th July.

If they object to this proposal on the same ground as objection was taken to the previous one, they should be requested to point out on the map the position of the United States' Settlements and to trace the provisional line which they would propose to draw, so as to leave these Settlements within American jurisdiction, until a final agreement is arrived at.

No. 101.

The Marquess of Salisbury to Mr. Tower.

(No. 154.)

Sir,

Foreign Office, July 19, 1899.

IN continuation of previous correspondence, I transmit herewith, for your information, copies of correspondence, as marked in the margin,† respecting the proposal made to the United States' Government for the lease of territory on the Lynn Canal.

I am, &c.
(Signed) SALISBURY.

No. 102.

The Marquess of Salisbury to Mr. Tower.

(No. 155.)

Sir,

Foreign Office, July 19, 1899.

I TRANSMIT to you herewith copy of the lease of the Chinde Concession‡ for convenience of reference in connection with the note on the subject of the Alaska boundary which I addressed to Mr. Choate on the 18th instant, and of which a copy was inclosed in my despatch to you No. 154 of to-day's date.

I am, &c.
(Signed) SALISBURY.

* "Yukon territory" substituted, at the suggestion of the Colonial Office, for "British Columbia."

† Nos. 98 and 99.

‡ Not printed.

No. 103.

The Marquess of Salisbury to Mr. Tower.

(No. 160.)

Sir,

Foreign Office, July 19, 1899.

THE United States' Ambassador informed me that he had received my letter of yesterday, conveying in terms the proposal for a definitive arrangement of the Alaska boundary, of which a copy has been communicated to you in my No. 154 of to-day's date.

His Excellency said that he had cabled it word for word to Washington, and that he would give me the reply when he had received it; but he thought that the moment was opportune, because some of the most influential Senators were at Washington at this time.

With respect to the provisional boundary, I informed Mr. Choate that I had acquainted you with the proposal of the Canadian Government, and that you would doubtless lay it before the Government of the United States. We had obtained a map in which the two creeks, the Porcupine Creek and the Boulder Creek, were marked, and the objections therefore taken to the proposals of the United States were now intelligible.

His Excellency promised to let me know if he had any reply from Washington upon this subject; but he seemed inclined to think that the proposal for the entire settlement of the question would make that of the provisional boundary unnecessary.

I am, &c.

(Signed) SALISBURY.

No. 104.

Mr. Tower to the Marquess of Salisbury.—(Received July 20.)

(No. 196.)

My Lord,

Washington, July 10, 1899.

WITH reference to my despatch No. 148, Confidential, of the 16th May last, reporting the departure of Senator Fairbanks for Alaska, I have the honour to transmit herewith an extract from the "Washington Post" of to-day,* reporting an interview with the Senator and Mr. Foster, the newly-elected Senator from Washington.

Mr. Foster, who must not be confounded with General J. W. Foster, the Member of the Joint High Commission, expresses himself in candid though elementary terms upon the Canadian claim to a post on the Lynn Canal.

I have, &c.

(Signed) REGINALD TOWER.

No. 105.

Colonial Office to Foreign Office.—(Received July 20.)

Sir,

Downing Street, July 19, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to recent correspondence as to the establishment of a provisional boundary in the region of the Lynn Canal, copy in paraphrase of a telegraphic correspondence with the Governor-General of Canada respecting the relative positions of the Boulder and Porcupine Creeks.

I am, &c.

(Signed) H. BERTRAM COX.

No. 105*.

Colonial Office to Foreign Office.—(Received July 20.)

(Confidential.)

Sir,

Downing Street, July 19, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the last paragraph of the letter from this Department of the 18th instant, a copy in paraphrase of a telegram from Mr. Chamberlain to the Governor-General of Canada on the subject of the Alaska boundary question.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure in No. 105*.*Mr. Chamberlain to Governor-General the Earl of Minto.*

(Confidential.)

(Telegraphic.) P.

Downing Street, July 17, 1899, 6.15 P.M.

HER Majesty's Government have proposed to United States' Government, as a settlement of the general question of the Alaska boundary, that Canada should have a perpetual lease of territory to the extent of half a square mile, at a suitable spot on the Lynn Canal, on similar conditions to those on which, under the Convention with Portugal of the 20th August, 1890 (11th June, 1891), territory is held by Her Majesty's Government at the Chinde mouth of the Zambezi River, with liberty to construct a railway from there to Yukon territory.

Inclosure 1 in No. 105.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Telegraphic.) P.

July 17, 1899, 9.40 P.M.

I DESIRE to know distance of Porcupine Creek and Boulder Creek along Klehini River from its junction with Chilcat. Please telegraph as soon as possible.

Inclosure 2 in No. 105.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

July 18, 1899.

IN reply to your telegram of 17th July I have to report that Boulder Creek on the left bank is 9 and Porcupine Creek on the right $10\frac{1}{2}$ statute miles from junction of Klehini with Chilcat. Porcupine Creek is first creek shewn on map after Boulder Creek is passed.

No. 106.

Mr. Tower to the Marquess of Salisbury.—(Received July 20.)

(No. 60.)

(Telegraphic.) P.

Washington, July 20, 1899.

I COMMUNICATED to the United States' Secretary of State this morning the proposal for a provisional line, as authorized by your Lordship's telegram No. 91 of yesterday.

Mr. Hay promised to give it his earliest consideration. He remarked that such a line would not bring the Porcupine Creek, which embraces the American mining settlements, within United States' jurisdiction.

The apprehension of the River Klehini forming an ill-defined boundary was, he thought, illusory, and he considered such an arrangement as being no more likely to lead to misconstruction than a line drawn from one mountain summit to another.

Mr. Hay has just had an interview with Senator Fairbanks, who has returned from his personal investigations in Alaska.

The Senator has reported optimistically of the present situation, and is less anxious of the possibility of a conflict arising than he had before believed. Mr. Hay feels relieved by the Senator's report, and stated that the approach of the cold season had lessened his fear of a regrettable collision.

The Governor of Alaska has been reprimanded for the alarmist reports of the situation which he had previously sent.

No. 107.

Colonial Office to Foreign Office.—(Received July 21.)

(Secret.)

Sir,

Downing Street, July 21, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from this Department of the 19th instant, copies in paraphrase of telegrams on the subject of the proposal made to the United States' Government by Her Majesty's Government for the settlement of the Alaska boundary difficulty by the grant of a perpetual lease to Canada of a piece of territory on the Lynn Canal.

I am, &c.

(Signed)

EDWARD WINGFIELD.

Inclosure 1 in No. 107.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Secret.)

(Telegraphic.) P.

July 19, 1899.

ALASKA Boundary: your telegram of 17th July.

My Ministers do not reject suggestion of a perpetual lease of strip of territory for purposes of communication between waters of Lynn Canal and the Yukon, but unless such an offer included harbour in which Canada would have jurisdiction, it would not be acceptable.

Inclosure 2 in No. 107.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Telegraphic.)

Downing Street, July 21, 1899.

PLEASE inform your Ministers with reference to your telegram of the 19th July, that proposal made to United States' Government, after discussion with Minister of Public Works, is not for lease of strip of territory from Lynn Canal to boundary but for block of land on shores of canal with right of way for railway to frontier.

Harbour will not be in Canadian jurisdiction. Lease, similar to Chinde, would provide that land leased would be used exclusively for landing, storage, and transshipment of goods and subsidiary purposes, and only permanent residents allowed would be British officials, their families and servants, or persons employed in charge of and for security of goods. Land to be fenced all round, and only one door on each of the three sides. No goods to be allowed to be landed in contravention of United States' Customs Regulations, nor to be sold in retail on leased land, which would be under United States' laws in force in Alaska, except so far as they conflict with Agreement. Lessee to have power to sublet and to erect necessary buildings on land for warehouses, offices, and for landing, storing, and transshipping goods, and to make on foreshore quays, bridges, and docks or other necessary works, subject to examination of plans by United States, to prevent inconvenience to navigation or injury to rights of others.

Free access to Hinterland, without intervention of United States' officials, as in bonding arrangement, would be secured to Canada by this proposal, and if the United States' Government accept it, they would be making a substantial concession.

We desire to impress upon your Ministers that whatever arguments may be based on letter of Treaty of 1825, careful examination of United States' case for possession of shores of canal based on continuous uncontested jurisdiction since date of Treaty, and admissions of Hudson Bay Company, Imperial and Dominion Governments, shows that it is unassailable.

Delay in settlement highly prejudicial to Canadian interests, and we cannot but think that your Ministers will not wish to sacrifice only chance of obtaining an all British route to Yukon, and will acquiesce in action of Her Majesty's Government, which was only taken after discussion with Mr. Tarte in full belief that it would be acceptable to Dominion Government. It is doubtful whether United States' Government will accept in any case, but we think it worth pressing.

Despatch follows by mail.

No. 108.

Extract from a Question asked in the House of Commons, July 21, 1899.

Mr. Davitt.—To ask the Under-Secretary of State for Foreign Affairs whether it is intended to place any papers upon the Table of the House before the end of the Session relating to the disputes between the United States and Canada over the Alaska boundary question and other matters of contention between the two countries.

Answer.

The negotiations on the Alaska boundary question are still in progress, and it would not therefore be practicable to lay any papers on the subject before the House at the present time.

No. 109.

Mr. Chamberlain to Governor-General the Earl of Minto.—(Communicated by Colonial Office, July 24.)

(Telegraphic.)

Downing Street, July 24, 1899, 6.10 P.M.

FOLLOWING telegram has been sent to Mr. Tower at Washington on subject of provisional Alaska boundary :—

[Telegram No. 91 to Mr. Tower of 19th July : see No. 100.]

United States' Government have been communicated with accordingly, and have promised earliest consideration.

No. 110.

The Marquess of Salisbury to Mr. Choate.

Your Excellency,

Foreign Office, July 24, 1899.

HER Majesty's Government have given their best consideration to your note of the 28th ultimo, urging them to accept as a provisional boundary with Alaska the southerly bank of the Klehini River from its junction with the Chilcat to where it is crossed by the Dalton Trail.

With regard to that proposal, I have the honour to point out that the boundary-line indicated in the Treaty between Great Britain and Russia of 1825 is one parallel to the coast.

For the purpose of a provisional line, the shores of the Lynn Canal have been accepted by Her Majesty's Government, without prejudice, as part of the coast of the ocean, and the provisional line should, therefore, be drawn as far as possible in a direction generally parallel to the Lynn Canal, in order to follow the stipulations of the Treaty.

In suggesting a line running east and west along the Klehini River, the United States' Government desire that the boundary should be parallel, not to the shores of the Lynn Canal, but to the coast of the ocean, and at a distance far in excess of the 10 leagues prescribed by the Treaty as the maximum, while the line previously proposed by Her Majesty's Government from north-east to south-west, through the junction of the Klehini and the Chilcat is already more favourable to the United States than the terms of the Treaty require.

It should also be mentioned that even if, as contended by the United States' Government, the boundary should pass round the head of the Lynn Canal, there remains the stipulation of the Treaty that "the line shall follow the summit of the mountains situated parallel to the coast," and that, therefore, the succession of lofty peaks bordering on the Lynn Canal would naturally be taken as the boundary under the Treaty.

The Canadian Government have refrained from exercising any rights or jurisdiction over territory regarded as debatable, but your Excellency states that many Americans are in occupation south of the Klehini River, in what they have considered undisputed territory, and that they have been, and are, under the jurisdiction of the United States.

It is difficult for Her Majesty's Government to admit that rights only just created in what seems obviously debatable territory should be seriously regarded in comparison with the more important interest of both countries in having as little disturbance as possible to existing rights and jurisdiction when the boundary is finally settled.

Passing to the details of the line suggested by your Excellency, I have to observe that the Dalton Trail, coming from a south-east direction, descends to the Klehini

River about 4 miles west of the forks of the Chilcat; then for a distance of $4\frac{1}{2}$ miles to within about half-a-mile of Boulder Creek, it follows the river flat, crossing and recrossing the stream at various points according to the height of the water.

Over that distance the river flows through many channels over a bed of gravel and boulders about half-a-mile wide, sometimes filling the whole bed and sometimes shrunk to the dimensions of a small stream. To make the river the boundary in such circumstances would create a prolific source of contest as to jurisdiction in the case of criminals having to be prosecuted, and it is clear that no boundary which does not cross the valley from one range of mountains to the other can be regarded as satisfactory.

The Canadian Government are, however, anxious to facilitate an agreement on the provisional boundary, and at their suggestion I have instructed Her Majesty's Chargé d'Affaires at Washington, by telegraph, to propose the following line, although it involves a concession as compared with the previous proposal:—

“Beginning at the summit marked 5,700 on sheet No. 18 of the surveys made under the Convention of 1892 by the British Commission, the said summit lying approximately in latitude $59^{\circ} 18'$ and longitude $136^{\circ} 16'$, northwards to a summit marked on the same sheet 2,800 in latitude $59^{\circ} 23'$ and longitude $136^{\circ} 0'$, thence in a direct line to the junction of the Klehini and Chilcat Rivers; and thence in the same line produced a distance of 4 miles more or less to the summit of the mountains bordering the valley of the Chilcat River to the north-east.”

According to the information of the Canadian Government all the American miners are to the south of this line, and would, therefore, remain under American jurisdiction. This information is believed to be accurate, and the line to be in accordance with the *status quo* of American settlements in that section.

If the proposal now made by Her Majesty's Government is objected to on the same ground as their former proposal, Mr. Tower is instructed to ask the United States' Government to point out precisely where the American settlements are, and to indicate by tracing on the map the line which they consider the provisional boundary should follow in order to leave such settlements within American jurisdiction pending the adoption of a permanent boundary.

I have, &c.
(Signed) SALISBURY.

No. 111.

Colonial Office to Foreign Office.—(Received July 25.)

(Confidential.)

Sir,

Downing Street, July 24, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letters from your Department of the 20th and 21st instant, a paraphrase of a telegram to the Governor-General of Canada on the subject of proposed provisional boundary in the region of the Lynn Canal.

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure in No. 111.

Mr. Chamberlain to the Governor-General the Earl of Minto.

(Telegraphic.) P.

Downing Street, July 24, 1899, 6.10 P.M.

FOLLOWING telegram has been sent to Mr. Tower at Washington on subject of provisional Alaskan boundary:—

[Telegram No. 91 of 19th July to Mr. Tower.]

United States' Government have been communicated with accordingly, and have promised earliest consideration.

No. 112.

Mr. Tower to the Marquess of Salisbury.—(Received July 25.)

(No. 61.)

(Telegraphic.) P.

Washington, July 24, 1899.

IN continuation of my immediately preceding telegram of the 29th instant, I have the honour to report that, in view of the objections raised by the Secretary of State to the new proposal of the Canadian Government for a provisional line on the Alaska boundary, I requested him to draw on sheet 18 of the Survey Map of 1892 a line which would satisfy the desire of the United States' Government to include the American miners within United States' jurisdiction.

Mr. Hay has this morning returned to me the map in question with the line marked as follows:—

The line starts from peak 5490 and runs to the junction of the rivers (as in the line marked "H. G." in the Canadian proposal); thence diverges in a north-westerly direction to peak 6380; thence it is drawn south-west to peak 4525, and thence, crossing the river in a westerly direction, to peak 5800.

In an accompanying Memorandum Mr. Hay stated that while he was inclined to agree with the views of the Canadian Government as to the impracticability of taking the bed of the River Klehini as a boundary, he must point out that any line drawn south of that river would, by placing under Canadian jurisdiction a considerable number of United States' citizens, defeat the very end and object of these negotiations.

As it appeared to me impossible for Her Majesty's Government to accept the line now proposed by Mr. Hay, I had a further interview with him this morning, when, after pointing out to him that Her Majesty's Government could hardly be expected to accept his counter-proposal, involving as it did a line even further north than that formerly proposed by himself, I took upon myself, acting on my own responsibility, to suggest the following compromise:—

Adopting the line marked "H. G. F." in the Canadian proposal as far as the peak marked 2800 on the eastern watershed of the Porcupine Creek, we might thence draw the line, in a nearly northerly direction, to the junction of that creek with the Klehini, and thence in a south-westerly direction to peak 6500, my idea being to leave within American jurisdiction the wedge of land thus formed, which would include the whole of the Porcupine Creek, where the majority of the settlements of the American miners are said to be settled.

This proposal, however, failed to meet with the approval of the Secretary of State on the ground of entailing difficulty of ingress and egress on the miners, but he finally agreed to the following modification of his proposal:—

The line to be drawn from peak 5490 to the junction of the rivers, thence to the north of the Klehini in a west-north-westerly direction to peak 6500, crossing the Klehini just above its junction with the Porcupine.

I shall forward the map to your Lordship by next mail.

No. 113.

The Marquess of Salisbury to Mr. Tower.

(No. 92.)

(Telegraphic.) P.

Foreign Office, July 25, 1899.

OBJECTIONS to the provisional line for the Alaska boundary, proposed in Mr. Choate's communication of the 28th June, were pointed out to his Excellency yesterday in a note in which I quoted the grounds explained in the Colonial Office letter (A) of the 30th June, paragraphs 4, 6, 9, and 10 (see Confidential Print, Section I of the 1st July).

His Excellency was at the same time acquainted of the instructions which were sent you in my telegram No. 91 of the 19th instant.

No. 114.

Foreign Office to Colonial Office.

Sir,

Foreign Office, July 25, 1899.

WITH reference to my letter of the 21st instant, I am directed by the Marquess of Salisbury to transmit to you, to be laid before the Secretary of State for the Colonies for any observations he may have to offer thereon, copy of a telegram from Her Majesty's Chargé d'Affaires at Washington,* reporting further proposals by the United States' Government with a view to a provisional settlement of the Alaska boundary.

I am, &c.
(Signed) F. H. VILLIERS.

No. 115.

Colonial Office to Foreign Office.—(Received July 27.)

(Confidential.)

Sir,

Downing Street, July 26, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 25th instant, inclosing copy of a telegram from Her Majesty's Chargé d'Affaires at Washington submitting the new proposals of the United States' Government for a provisional boundary on the Dalton Trail.

2. Mr. Chamberlain regrets that the line now suggested by Mr. Hay is wholly inadmissible.

3. The United States had already proposed the south bank of the Klehini up to the point where it is first crossed by the Dalton Trail, in the neighbourhood of Boulder Creek, as a provisional boundary, while Canada claims a more southerly line.

4. The instructions sent to Mr. Tower in the event of the Canadian line proving unacceptable to the United States were intended to elicit some suggestion on which a compromise between the lines proposed by the United States and Canada might be based, but the United States' Government, instead of abating any part of their claim, have greatly enlarged it, and now propose to exclude the whole of the Dalton Trail and the Klehini up to beyond Porcupine Creek from Canadian jurisdiction.

5. To submit this suggestion to the Dominion Government, would, in present circumstances, provoke an outburst of feeling which would endanger the present friendly relations and render the prospect of any early settlement hopeless.

6. Mr. Chamberlain would suggest, therefore, that the United States' Government should be informed that Her Majesty's Government can only express their regret that their endeavour to ascertain whether some compromise could not be arranged between the extreme claims in this matter has only led to a large increase in the demands of the United States, and that, unless the United States' Government is prepared to second the efforts of Her Majesty's Government to find a *via media*, it appears to be useless to make any further attempt to arrange a provisional line.

7. I am to add that if the United States had been prepared to accept the compromise suggested by Mr. Tower, Mr. Chamberlain would have been prepared to press the Dominion Government to acquiesce in it.

I am, &c.
(Signed) H. BERTRAM COX.

No. 116.

Colonial Office to Foreign Office.—(Received July 27.)

(Confidential.)

Sir,

Downing Street, July 27, 1899.

I AM directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, paraphrase of a telegram from the Governor-General of Canada, replying to the telegram of the 21st instant, of which a paraphrase was inclosed

* No. 112.

in the letter from this Department of the same date, on the subject of the proposal made by Her Majesty's Government to the United States' Government for a settlement of the Alaska Boundary question.

2. Lord Salisbury will observe that, even after the full explanation given in Mr. Chamberlain's telegram of the 21st instant, the proposal of Her Majesty's Government is stated not to be acceptable to Canada, but that the Dominion Government are prepared immediately after the end of the present Session of the Federal Parliament to send a Delegate to England to discuss the question.

3. Mr. Chamberlain does not, in the circumstances, propose to attempt further explanation by telegram, and, if Lord Salisbury agrees, he will telegraph to Lord Minto urging that the Canadian Delegate should leave as soon as possible.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure in No. 116.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

[Received July 25, 1899, 7.55 A.M.]

PROPOSED settlement of Alaska Boundary question:

Referring to your telegram of 21st July, concession by United States of America of a square of (?) land without any harbour would not be acceptable. My Ministers would have been anxious to settle the dispute by a fair compromise, but all the efforts made by the High Commission at Washington in that direction were unsuccessful.

Only possible settlement now seems to be arbitration. Venezuelan case offers almost identical precedent. Session here expected to close in two weeks, and my Ministers will be prepared immediately to send a Delegate to England to discuss the question.

No. 117.

The Marquess of Salisbury to Mr. Tower.

(No. 93.)

(Telegraphic.) P.

Foreign Office, July 28, 1899.

WITH reference to your telegram No. 61 of the 25th July, you should express to the United States' Government the regret of Her Majesty's Government that their efforts to arrange some compromise between the extreme claims in the matter of the Alaska boundary dispute have been met on the part of the United States by a large increase in their demands. Any further endeavour to settle a provisional boundary would appear to be futile unless the efforts of Her Majesty's Government to find a *via media* are seconded by the Government of the United States.

Had the United States' Government been ready to accept the compromise which you proposed, I may inform you, confidentially, that the Secretary of State for the Colonies would have been prepared to urge the Dominion Government to give their assent to it.

No. 118.

Mr. Tower to the Marquess of Salisbury.—(Received July 31.)

(No. 210.)

My Lord,

Washington, July 20, 1899.

I HAVE the honour to report that, upon receipt of your Lordship's telegram No. 91 of yesterday's date, I had an interview with the United States' Secretary of State this morning, and explained to him, pointing to Sheet No. 18 of the survey made by the British Commission in 1892, the counter-proposal for a provisional

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line for the Alaska boundary as specified in the Earl of Minto's telegram of the 4th July.

I left with Mr. Hay a Memorandum giving the details of this proposal. Copy of my Memorandum is inclosed herewith. I also left the map at the Department for any alternative line which the United States may desire to suggest.

The Secretary of State promised to submit it without delay to the President, but remarked that the region in which the American miners are settled would be thereby left within Canadian jurisdiction. These settlements are on the Porcupine Creek, and lie north of the line as proposed by the Dominion Government.

I explained the objection entertained as to the River Klehini forming the boundary, particularly in the instance of a criminal being prosecuted, stating that, in view of the fact that the Dalton Trail crosses and recrosses the river, and that the river itself is split up into several channels, the boundary would appear to be too ill-defined to insure a satisfactory arrangement being arrived at. I added that all these objections would seem to be overcome by the line at present proposed, whereby the summits of the mountains are taken as easily-identified and well-marked bases.

Mr. Hay replied that he thought the bed of the river, even if varying in channel, was open to little objection; and that for a temporary arrangement it seemed unlikely, with a certain amount of good faith on both sides, for any question to arise on that head, though he admitted that the statement of the Dalton Trail crossing the stream was more serious.

He stated that he had yesterday had a prolonged interview with Senator Fairbanks, whose journey to Alaska I have previously reported. Mr. Fairbanks has just returned, having visited Dyea-Skagway, Juneau, and other ports, but not Pyramid Harbour. He has reported to the Department of State that the present situation is satisfactory in its outlook, and expressed himself optimistically on the results of his personal investigations.

Mr. Hay said that the report of Senator Fairbanks had relieved him from great anxiety as to the imminence of conflict with the miners in the disputed region, and this feeling was increased by the near approach of the cold season.

He said that this reassuring conviction was not likely to be disturbed by any repetition of alarmist reports from the Governor of Alaska, to whom a caution and reprimand had been sent on the subject of his former reports.

Mr. Hay is satisfied that the Canadian Government continue to display the greatest firmness in preventing the Canadian police from making any encroachments on the disputed territory.

I shall report further to your Lordship as soon as I may receive a reply from him to the proposal just made.

I have, &c.
(Signed) REGINALD TOWER.

Inclosure in No. 118.

Counter-Proposal put forward by Her Majesty's Government for the line of a Provisional Boundary through the District at the Head of Chilkat Inlet.

THE line to start from a summit situated approximately in $59^{\circ} 18'$ latitude and $136^{\circ} 16'$ longitude, and marked as "5700" on Sheet No. 18 of the survey made by the British Commission under the Convention of 1892; thence northerly to a summit in $59^{\circ} 23'$ latitude and $136^{\circ} 10'$ longitude, marked on the same sheet as "2800;" thence in a direct line to the junction of the Rivers Chilkat and Klehini; continuing thence for a distance of 4 miles, more or less, in the same line to the summit of the mountains bordering the valley of the Chilkat River on the north-east.

Washington, July 20, 1899.

No. 119.

Colonial Office to Foreign Office.—(Received July 31.)

(Confidential.)

Sir,

Downing Street, July 29, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 28th instant, a paraphrase of a telegram to the Governor-General of Canada on the subject of the Alaska boundary question.

I am, &c.

(Signed)

EDWARD WINGFIELD.

Inclosure in No. 119.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Telegraphic.) P.

Downing Street, July 28, 1899.

WHEN may we expect arrival of Delegate who is to discuss the Alaska boundary question with us?

Please arrange to send him as soon as possible.

No. 120.

Colonial Office to Foreign Office.—(Received August 2.)

(Confidential.)

Sir,

Downing Street, August 2, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from this Department of the 29th instant, a copy of a telegram from the Earl of Minto on the subject of the Alaska boundary negotiations.

I am, &c.

(Signed)

EDWARD WINGFIELD.

Inclosure in No. 120.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Confidential.)

(Telegraphic.) P.

[Received July 29, 1899, 7.9 P.M.]

REFERRING to your telegram of the 28th instant, I learn from Premier that he will arrange for the departure of a Delegate before the 15th proximo.

No. 121.

The Marquess of Salisbury to Mr. Tower.

(No. 182. Confidential.)

Sir,

Foreign Office, August 2, 1899.

THE United States' Ambassador called upon me to-day in order to discuss the proposal recorded in my note to his Excellency of the 1st ultimo, that the Alaska boundary questions should be submitted to arbitration, and that the Treaty of Arbitration adopted between Great Britain and Venezuela should be applied to the determination of the present case.

Mr. Choate said that this proposal was being attentively considered by his Government, but that on several grounds, which he proceeded to explain to me, the President felt unable to assent to the proposal as it stood, and desired a further exchange of views before formally responding to my communication.

As the question of the organization of the proposed Arbitral Commission is subordinate to that concerning the subject-matter to be arbitrated, and the terms and conditions on which its action is limited, and ought easily to be agreed upon when the latter are once settled, Mr. Choate said he would confine what he had to say to some of the reasons which, in the President's judgment, make the terms of the Venezuelan Treaty, as it stands, wholly inapplicable to the present subject of controversy, in which the issues involved are radically different.

The case of the Alaska boundary was, his Excellency said, entirely unlike the controversy with Venezuela, in that it was a new question, raised for the first time after the Joint High Commission had been agreed upon, up to which date the claim which it was now asked should be submitted to arbitration had never been put forward either by Great Britain or by Canada; whereas, in the case of Venezuela, the controversy originated a century and a-half ago, and had been in its entirety a subject of dispute and protest for sixty years.

The coast-line of the mainland (the *lisière* of the Treaty), including the inlets, had been in the possession or under the control of Russia and the United States since the Treaty between Russia and Great Britain in 1825, and the Settlements on the inlets, especially those about the head of the Lynn Canal, had been made with the authority and under the jurisdiction of the United States without any protest or claim of territorial ownership on the part of Great Britain; whereas, in the Venezuelan case, the British occupation and Settlements involved were upon territory claimed by Venezuela and against the constant protests of Venezuela, thus constituting, as Venezuela alleges, a series of advancing encroachments upon what that country claimed to be her territory.

In support of the proposition that from the Treaty of 1825 to the cession to the United States in 1867 the Russian Government steadily maintained its claim to a strip of territory 30 miles in width on the mainland of the continent, beginning at 50° 40' and extending north-west around all the inlets and interior waters to the 141st degree of west longitude, his Excellency called attention to the maps issued by the Russian Government to its lease or licence, contained in the Treaty with the United States of 1824, for the citizens of the latter to frequent with their ships, for ten years, "the interior seas, gulfs, harbours, and creeks upon the coast" for the purpose of fishing and trading with the natives, and to Russia's refusal in 1835 to renew the privilege.

During the whole period of Russia's occupation of this strip of territory, Great Britain had, Mr. Choate said, made no claim to it, and entered no protest; on the contrary, there were acts on her part of express recognition of the claim of Russia. By the Treaty of 1825 she took from Russia the same privilege for British subjects to frequent the same inland seas, gulfs, harbours, and creeks for ten years, as had been granted to American citizens by the Treaty of 1824, and, after the expiration of the ten years' privileges, British subjects and vessels were excluded from these interior waters, and the British Government acquiesced in this without a protest.

In the same connection his Excellency called attention to the case of the "Dryad," where the British Government presented and pressed upon the Russian Government a claim of the Hudson Bay Company for damages sustained by the detention of the vessel destined for some point on the Stikine River, which resulted in the Hudson Bay Company taking in 1839 a lease from the Russian-American Company (these two Companies representing their respective Governments in the control of the country along the north-west coast) of the strip of territory, or *lisière* of the Treaty, for ten years in consideration of an annual rent and the extinction of the claim. This lease was made with the authority and approval of the two Governments. The Hudson Bay Company entered and occupied under it for the term of the lease, and for an extension of another term, and then surrendered possession without objection or protest from any one.

Mr. Choate also called my attention to the special Parliamentary inquiry into this transaction in 1857, to the map submitted to the Committee, and to the testimony of the Governor of the Hudson Bay Company, showing the strip leased to have been 30 miles in width, and to extend around the head of all the inlets, including Lynn Canal.

In the opinion of the President the action of the two Governments during Russia's occupation of the strip of territory now in controversy makes a wholly different condition of affairs from that between Great Britain and Venezuela, and this difference has been maintained and made more distinct since the cession by Russia to the United States.

In support of this his Excellency called my attention to the map prepared and published by the United States in 1867 which delimited the boundary, and which traced the limits of the strip on the mainland in accordance with the uniform claim which Russia had made. Not only was no protest made against this map by the British Government, but the British map publishers and the Canadian Government had adopted the same boundary-line in their publications. And, in accordance with this delimitation, the United States had, he said, exercised acts of sovereignty—such as control of Indian tribes, establishment of post-offices and schools, and the policing of the waters of the inlets by Government vessels, and the enforcement of revenue and other Federal laws.

Mr. Choate then called attention to the fact that, up to a very recent period, the boundary-line has only twice been the subject of correspondence or discussion between our two Governments: first, in 1873–74, when there was a movement for having the boundary-line marked by a Commission of scientific experts, and it was then understood that the boundary-line crossed the Rivers Skoot, Stikine, Taku, Isleat, and Chilcat at some place above the point where they respectively empty into the inlets of the ocean, and, shortly after that, when there was some question as to where the boundary crossed the Stikine.

His Excellency referred incidentally to the case of Peter Martin, 1877, the correspondence in respect to which appears in "Foreign Relations of the United States, 1877," pp. 266–271, and to the Provisional Agreement for Customs purposes in 1878, the correspondence in respect to which appears in "Foreign Relations of the United States, 1878," pp. 339–346.

The slight conflict of jurisdiction in the vicinity of Lake Lindeman, shortly after the discovery of gold in the Yukon district, seemed, he said, to have but little bearing, as it related to territory between Lake Lindeman and the White Pass.

It appeared clear that not until after the Joint High Commission was created (30th May, 1898) did either Great Britain or Canada ever advance the claim to any portion of territory lying adjacent to the inlets of the ocean, nor to the waters thereof; nor had they objected to the occupation of the same by the Government of the United States or its citizens, and at no time had any part of the territory so lately put in dispute been held or occupied by Canadian or British authorities.

The towns, settlements, and industries about the head of Lynn Canal and the other inlets embraced in this strip of territory having been established under these circumstances, a wholly different situation had, in the opinion of the President, been created in regard to them from that involved in the Venezuela Case, so utterly different that the Government of the United States would feel that it was not properly guarding the rights of its citizens if it should consent to put these settlements in peril by applying to them the terms of the Venezuela Treaty, which was designed for a wholly different state of affairs; nor would the President feel justified in submitting the questions involved to any arbitration unless United States' settlements, made in good faith before this new claim was presented on the part of Canada, were expressly exempted from its operation.

Mr. Choate further called attention to a material difference between the questions to be decided by the two Tribunals: In the one case, the disputed interpretation of a Treaty definition of a boundary-line, in a Treaty made seventy-four years ago, and remaining undisputed through the long period of the Russian occupancy and administration of the *lisière*, and through nearly all the time that the territory had been held by the United States under the cession from Russia, and only very lately brought in question; in this case the interpretation was to be made in the light of prior and subsequent historical facts of occupation, administration, and recognition and of the acts and omissions of the parties concerned. Here, while the question of actual settlement and administration is collateral to the main subject of arbitration, and, being of great importance, is rightly to be guarded by the distinct understanding suggested by the President, it is not, as in the Venezuelan case, the essential point directly at issue. In the other case, the controversy rested, he said, not upon the interpretation of any such Treaty definition of the boundary-line, but essentially upon the historical facts of occupancy and possession, out of which the Arbitrators were to determine the boundary-line in conformity to the rules prescribed to them.

The proposal of Her Majesty's Government for an arbitration would, Mr. Choate said, be entertained by the President with that earnest consideration which its importance and the high source from which it came deserved; and having thus laid before me Mr. McKinley's reasons for his judgment, that the two cases are radically different, and the terms of the Venezuelan Treaty, as it stands, are utterly inapplicable to the

present case, he was instructed to express the opinion of the President that it would be wise, at this stage of the negotiation, to have a comparison of views, and to state that he would be much gratified if I would give my views in return upon the matter now presented, and would communicate the grounds upon which Her Majesty's Government base their opinion, that "there is nothing in the Venezuelan Treaty which is inapplicable or which would be inconsistent with an equitable solution of the Alaska controversy."

Mr. McKinley hoped that, when the conflicting views of the parties were thus disclosed, they might, perhaps, be reconciled or adjusted by mutual concession, and that the way might thus be paved for an ultimate agreement.

I am, &c.
(Signed) SALISBURY.

No. 122.

Mr. Tower to the Marquess of Salisbury.—(Received August 5.)

(No. 218.)

My Lord,

Washington, July 25, 1899.

WITH reference to my despatch No. 210 of the 20th instant, I have the honour to report that, on the 22nd instant, I had a further conversation with Mr. Hay on the subject of the last Canadian proposal for a provisional boundary-line. I referred to the objections he had made on the 20th instant, as reported in my above-mentioned despatch, and requested him to show me on sheet No. 18 of the Survey made by the British Commission in 1892 in what precise locality the American miners were settled. He pointed to the Porcupine Creek which flows into the Klehini River at about 136° 17' longitude and 59° 27' latitude.

In this creek, he said, all or nearly all were American miners, and he failed to understand the insistence of the Dominion Government to exercise control over a region peopled by aliens, whose determination to live under the "Stars and Stripes" had been so vigorously asserted. He repeated that an arrangement on such lines was likely to entail serious embarrassments on the Canadian Government, in view of any possible resistance on the part of the miners to the Dominion police. He added that, so far as his information went, the creek running south-east into the Klehini, the junction of which is to the east of the Porcupine, also contains a large number of Americans, and that he felt that their interests must also be considered.

I asked him whether, in view of these opinions, he would be prepared to submit to me a counter-proposal, tracing on the map an alternative line which would meet the requirements and wishes of the United States' Government.

He thanked me for the suggestion, and expressed his opinion that such a course would be more expeditious than a bare refusal to entertain the Canadian proposal.

On the 24th instant, Mr. Hay returned to me sheet No. 18, which I had left with him with a line traced in red ink, marking the boundary as follows:—

Starting from the west, the line to be drawn from the peak marked 5490 (H in the Canadian Proposal) to the junction of the Klehini and Chilkat Rivers (G), thence diverging in a north-westerly direction to the summit marked 6380, the Chilkat Peak, thence in a west-south-westerly direction to the peak 4525, and continuing due west to the peak 5800.

In the Memorandum which accompanied the map, Mr. Hay stated that "there is no line to the south of the Klehini (or Klehini), but will violate the very intention of the entire negotiation by placing a large number of Americans under Canadian jurisdiction," and was inclined to agree with the opinion of the Canadian Government that the line of the River Klehini was difficult if not wholly impracticable to define. He added that there remained no other alternative but "to take the most convenient series of hills on the north of the Klehini and draw a line through them and through the junction of the Chilkat and Klehini and thence to the range on the east."

Mr. Hay further stated that, should the fact of the proposed line lying to the north of the one formerly suggested by him present an insuperable objection to the acceptance of the line by Her Majesty's Government, the United States' Government would "fall back on the river and make the best of that inconvenient and unsatisfactory line."

I inclose a copy of Mr. Hay's Memorandum herewith.

On receipt of this document I called yesterday at the Department of State, and told Mr. Hay that I had only been authorized by your Lordship to ask him to indicate how he would propose to draw the provisional line so as to include within American jurisdiction the settlements of American miners, to which he laid claim, but felt that it was hardly possible to expect that Her Majesty's Government would seriously entertain the line now proposed, which was drawn so far north of that previously suggested by himself. He admitted the force of this argument, and said that he regretted that the want of accurate information had alone actuated him in proposing the river as a boundary. The only satisfactory line would be such a one as that he now indicated.

I thought it my duty to endeavour to dissuade him from this counter-proposal, and pointed out to him the principal points raised in the letter from the Colonial Office to the Foreign Office of the 30th June (see Alaska Boundary, Confidential Print, July 1, section 1), viz., that the boundary-line laid down by the Treaty of 1825 is one parallel to the coast, and that, for the purpose of a provisional line, the shores of the Lynn Canal have been accepted. It followed, therefore, that the line should be generally parallel to the shores of that channel.

In view of the insuperable objections raised by Mr. Hay to any proposal which would include the Porcupine Creek within Canadian jurisdiction, I took upon myself, though clearly reminding him that I had no authority whatever for doing so, to suggest a possible compromise by which the Canadian line marked H G F should terminate at the peak to the west marked 6500, and still leave the entire Porcupine Creek within United States' jurisdiction. This, I suggested, might be accomplished by drawing the line from the peak 2800 (F), on the eastern watershed of the Porcupine Creek to the junction of that creek with the Klehini, in a nearly northerly direction; thence in a south-westerly direction to the peak 6500. The wedge thus formed would include the entire Porcupine mining settlement in United States' jurisdiction.

Mr. Hay carefully examined the map, and foresaw objections to this plan on the ground that: (1) it would be difficult to determine the extent of territory which should belong to either country on the banks of the Porcupine Creek; and (2) that the question of the ingress and egress to the creek by American miners might be fraught with difficulty. He also was most unwilling to consider favourably a scheme which would cede so large a portion of the Dalton Trail, about which, he said, the strongest representations had been made to him.

After renewed examination of the map, and a further consideration of various schemes which appeared to present possibilities, Mr. Hay finally agreed to modify his proposal as follows:—

Starting from the peak to westward 5490 (as in the former proposal), the line to be drawn to the junction of the Rivers Klehini and Chilkat, thence in a west-north-westerly direction (to the north of the Klehini) to the peak marked 5025; thence south-east to the peak marked 6500, crossing the River Klehini a little above its junction with the Porcupine Creek.

Although objections to this amended proposal are sufficiently obvious, it appeared to me far less unsatisfactory than the original line drawn by Mr. Hay on the 24th instant, and I accordingly communicated it to your Lordship in my telegram No. 61 of yesterday's date.

I annex to this despatch the map, with Mr. Hay's first line marked in red ink, and his modified proposal traced in a dotted black line.

I have, &c.

(Signed.) REGINALD TOWER.

Inclosure in No. 122.

Memorandum.

THE Secretary of State, at the invitation of the British Government, has indicated on the accompanying map what is, in his opinion, the best line for a *modus vivendi* in the region of the Klehini River. But as this line diverges a little from that formerly suggested by the Secretary of State, he feels a word of explanation is required.

The Secretary of State proposed the junction of the Chilkat and Klehini Rivers as a convenient point for a temporary dividing line between the American and British

jurisdictions, pending the negotiation between these two Governments as to the permanent boundary; and, as the thoroughfare through that region is the Dalton Trail, he thought it expedient to mark the point on that trail when it crosses the river. The British Government has shown with great force that this latter point was too vague, and that the bank of the river from its mouth to where it is crossed by the trail, was almost impossible to define, owing to the shifting of the channel and the changes in its course. They, therefore, proposed a line across the valley from certain mountains lying to the south-west, through the junction of the Chilkat and the Tlehini to the mountains on the north-east. But this threw under British jurisdiction a large number of Americans, who are at work along the banks of Porcupine Creek, from whom it was not advisable for the American Government to withdraw its protection; and in whose interest this Government has been constantly acting.

Mr. Tower, by direction of his Government, now asks that the Secretary of State shall indicate on the accompanying map the line which, in the judgment of the American Government, will be most appropriate for the purpose designed.

There is no line to the south of the Tlehini, but will violate the very intention of the entire negotiation by placing a large number of Americans under Canadian jurisdiction. The line of the River Tlehini is shown by the British and Canadian representation to be difficult, if not wholly impracticable to define, an opinion in which the Secretary of State after fuller information and more careful study of the facts, is inclined to agree. There is, therefore, no other alternative than to take the most convenient series of hills on the north of the Tlehini and draw the line through them, and through the junction of the Chilkat and Tlehini and then to the range on the east.

It is true that this line is a short distance north of the one formerly suggested by the Secretary of State. If this fact presents an insuperable objection to the acceptance of the line by the British Government, the Secretary of State will not insist upon it, but will fall back to the river and make the best of that inconvenient and unsatisfactory line; providing in that case, that the Americans on the Porcupine Creek shall have the means of free ingress and egress by crossing and recrossing the river. But, in view of the fact that there are many Americans both north and south of the river, and, so far as is known, no British subjects south of the line now indicated on the map, it is hoped that it may be considered convenient by Her Majesty's Government to adopt this line as a temporary arrangement, without prejudice to the claims of either Government.

In any case, the Secretary of State renews his confident hope that whatever arrangement is made, the citizens or subjects of either Power who may thereby be found in the jurisdiction of the other may have the same rights and privileges which they now enjoy.

*Department of State, Washington,
July 24, 1899.*

No. 123.

Mr. Tower to the Marquess of Salisbury.—(Received August 5.)

(No. 223.)

My Lord,

Newport, Rhode Island, July 28, 1899.

MR. HAY spoke to me on the 26th instant on the subject of the Alaskan boundary in a more hopeful tone than he has adopted during the last three months.

He said that your Lordship's proposal as to the lease of a port had engaged his almost exclusive attention during the last few days, and that he had been conferring with Senator Fairbanks, Mr. Kasson, and General Foster, the members of the Joint High Commission who were within reach.

Mr. Hay said he thought the prospects of a satisfactory arrangement were promising, and trusted that the way would be rendered still easier by the acceptance by Her Majesty's Government of a provisional line in the sense of our conversation of the 24th instant, as reported in my despatch No. 218.

The press has been on the whole favourable to the scheme of leasing a port on the Lynn Canal, in so far as the information divulged to them has enabled them to form an opinion. I inclose herewith a leading article from the "New York Tribune" of yesterday's date, as a fair example of this public feeling.

The President left Washington for his summer vacation on the 26th instant, and the Secretary of State proposes starting for his country home shortly.

This may be taken as a proof that the Administration feels relieved of the acute tension which prevailed with regard to the Alaska boundary question.

I have, &c.

(Signed) REGINALD TOWER.

Inclosure in No. 123.

Extract from the "New York Tribune" of July 27, 1899.

A PORT ON LYNN CANAL.—The latest statements concerning the Alaska boundary serve somewhat to clear the air. The Joint High Commission is apparently not to resume its sessions at the appointed time next Wednesday. That is much to be regretted. But regret is tempered by the assurance that direct negotiations between the British and American Governments on the boundary matter are proceeding much more hopefully than has been commonly supposed, and that a settlement, at least tentative, is probably near at hand. If such a settlement be effected, there will be no reason why the Commission should not resume and complete its work. The exact character of the settlement to be made is, naturally and properly, not yet disclosed. Despite the urgings of some latter day iconoclasts, diplomacy is not always best conducted in town meeting. The men responsible for the negotiations are keeping their own counsel, and will let the public know what is proposed when the fitting time comes. Until then the public is willing to wait in patience. So far as the trend of negotiations has been disclosed, however, some positive opinions are held in the United States.

The crux of the situation is Canada's desire and demand for access to tidewater across the Alaska panhandle. She wants a port on Lynn Canal, and a strip of country extending from it to the interior. The United States, on the other hand, claims to own all the panhandle and all its tidewater ports, down to Portland Canal. Last winter, before the Joint High Commission, Canada demanded the outright cession of such a port and the United States refused it. The United States offered to lease Canada such a port for a nominal consideration, and Canada refused it. So the matter stood when the Commission adjourned. Now it is reported that the offer of the United States has been renewed, and there is said to be reason to think that Canada will accept it. If she has the chance she will be fortunate. The fact is that our Government went to great lengths in offering to lease a port to Canada, in view of our absolute rights and the possible effect on public opinion of such an offer, and it may be seriously questioned whether the offer, having been rejected, should be renewed. But if it has been renewed it must be borne in mind that the offer is that of a lease, with sovereignty remaining with the United States, and not, as an Ottawa despatch calls it, that of cession of a port. It is the offer of the United States of last winter renewed, not a granting of the Canadian demand of last winter. The practical effect of the one would be the same as that of the other, so far as travel and transportation to the Klondike are concerned. But in principle there is a radical difference between the two.

The leasing of a port, even though it were for a thousand years at a cent a-year, would still leave the sovereignty with the United States, and thus would uphold the claim of the United States to ownership of the entire coast. The cession of a port to Canada would be taken to imply that Canada had a right to the ownership of that port. And if she had a right to cross our strip and come down to tidewater at Dyea she might claim a similar right at Juneau, and all along the line, until she had crowded the United States off altogether. It is by no means beyond belief that some of her politicians had precisely that in mind when they put forward the claim for cession of Dyea and Skaguay, or at least of Pyramid Harbour. Had the United States acceded to that demand we might next day have heard Canadians saying: "You admit that we own the coast there. How, then, can you deny that we own it elsewhere? If the 10 leagues of the Treaty are to be measured from the outside of the islands at that point, why should they not be thus measured at all points?"

The United States is not thus to be trapped. If it can afford, for the sake of being neighbourly and of helping on the less favoured Dominion, to grant important

privileges at Lynn Canal, it must be clearly understood that it does so as a voluntary concession, and without in the slightest degree waiving the rights of sovereignty on the whole coast, down to Portland Canal. The United States is in possession, and believes itself to be rightfully so. Certainly it is not to be ousted by any ill-advised talk of war by Ottawa politicians.

No. 124.

Mr. Tower to the Marquess of Salisbury.—(Received August 6.)

(No. 63.)

(Telegraphic.) P.

Newport, Rhode Island, August 6, 1899.

I DULY communicated to the United States' Secretary of State the contents of your Lordship's telegram No. 93 of the 28th July.

Mr. Hay has addressed to me a note in reply, in which, while regretting the view taken by Her Majesty's Government of his latest proposal, he expresses the hope that they will not permanently retain the impression that it involves a considerable increase on the original demands of the United States.

He now renews the proposal to draw the line from the Peak 6500 west of Porcupine Creek across the Klehini to Peak 5025, and thence to the junction of the Klehini and the Chilcat.

By this arrangement many American citizens would still be left under Canadian jurisdiction.

Mr. Hay earnestly trusts that this proposal may prove acceptable to Her Majesty's Government; but, should this not be the case, he makes an alternative proposal to draw the line from Peak 6500 in the direction of Peak 5025 as far as its intersection with the Klehini, and thence to follow the course of the river up to its junction with the Chilcat, as formerly proposed by the United States' Government.

I am sending a copy of Mr. Hay's note by next mail.

No. 125.

Mr. Choate to the Marquess of Salisbury.—(Received August 9.)

My dear Lord Salisbury,

American Embassy, London, August 9, 1899.

TO aid your Lordship in the consideration which you may give to the subject of our protracted conversation on Wednesday last, I have the honour to submit, in writing, the substance of what I undertook to say as to the reasons which prevent the President from assenting to the proposal that the Venezuela Treaty, as it stands, shall be applied to the determination of the Alaska boundary, and in respect to which he desires an exchange of views before formally responding to your Lordship's proposal, contained in your note of the 1st July ultimo.

As the question of the organization of the proposed Arbitral Commission is subordinate to that concerning the subject-matter to be arbitrated, and the terms and conditions on which its action is limited, and ought easily to be agreed upon when the latter are once settled, I confined what I had to say to some of the reasons which, in the President's judgment, make the terms of the Venezuela Treaty, as it stands, wholly inapplicable to the present subject of controversy, in which the issues involved are radically different.

This is entirely unlike the controversy with Venezuela, in that it is a new question, raised for the first time after the Joint High Commission had been agreed upon; up to which date the claim had never been put forward, either by Great Britain or Canada, which it is now asked shall be submitted to arbitration. Whereas, in the case of Venezuela, the controversy originated a century and a-half ago, and had been in its entirety a subject of dispute and protest for sixty years.

The coast-line of the mainland (the *lisière* of the Treaty), including the inlets, had been in the possession or under the control of Russia and the United States since the Treaty between Russia and Great Britain in 1825—and the settlements on the inlets, especially those about the head of the Lynn Canal, have been made with the authority and under the jurisdiction of the United States, without any protest or claim of

territorial ownership on the part of Great Britain—whereas, in the Venezuela case, the British occupation and settlements involved were upon territory claimed by Venezuela and against the constant protest of Venezuela; thus constituting, as Venezuela alleges, a series of advancing encroachments upon what that country claimed to be her territory.

In support of the proposition that, from the Treaty of 1825 to the cession to the United States in 1867, the Russian Government steadily maintained its claim to a strip of territory 30 miles in width on the mainland of the continent, beginning at 54° 40' and extending north-west around all the inlets and interior waters to the 141st degree of west longitude. I called attention to the maps issued by the Russian Government, to its lease or licence, contained in the Treaty with the United States of 1824, for the citizens of the latter to frequent with their ships for ten years "the interior seas, gulfs, harbours, and creeks upon the coast" for the purpose of fishing and trading with the natives, and to Russia's refusal in 1835 to renew the privilege.

During the whole period of Russia's occupation of this strip of territory Great Britain made no claim to it, and entered no protest; on the contrary, there were acts on her part of express recognition of the claim of Russia. By the Treaty of 1825 she took from Russia the same privilege for British subjects to frequent the same inland seas, gulfs, harbours, and creeks for ten years, as had been granted to American citizens by the Treaty of 1824, and, after the expiration of the ten years' privileges, British subjects and vessels were excluded from these interior waters, and the British Government acquiesced in this without a protest.

In the same connection, I called attention to the case of the "Dryad," where the British Government prevented and pressed upon the Russian Government a claim of the Hudson's Bay Company for damages sustained by the detention of the vessel, destined for some point on the Stikine River, which resulted in the Hudson's Bay Company taking in 1839 a lease from the Russian-American Company (these two Companies representing their respective Governments in the control of the country along the north-west coast) of the strip of territory, or *lisière* of the Treaty, for ten years, in consideration of an annual rent and the extinction of the claim.

This lease was made with the authority and approval of the two Governments. The Hudson's Bay Company entered and occupied under it for the term of the lease, and for an extension of another term, and then surrendered possession without objection or protest from any one.

I also called your Lordship's attention to the special Parliamentary inquiry into this transaction in 1857, and to the map submitted to the Committee, and to the testimony of the Governor of the Hudson's Bay Company, showing the strip leased to have been 30 miles in width, and to extend around the head of all the inlets, including Lynn Canal.

In the opinion of the President, the action of the two Governments during Russia's occupation of the strip of territory now in controversy makes a wholly different condition of affairs from that between Great Britain and Venezuela, and this difference has been maintained and made more distinct since the cession by Russia to the United States.

In support of this, I called your Lordship's attention to the map prepared and published by the United States in 1867, which delimited the boundary, and which traced the limits of the strip on the mainland, in accordance with the uniform claim which Russia had made. Not only was no protest made against this map by the British Government, but the British map publishers and the Canadian Government adopted the same boundary-line in their publications; and, in accordance with this delimitation, the United States have exercised, as I stated to your Lordship, acts of sovereignty, such as control of Indian tribes, establishment of post offices and schools, and the policing of the waters of the inlets by Government vessels, and the enforcement of revenue and other Federal laws.

I called your Lordship's attention to the fact that, up to a very recent period, the boundary-line has only twice been the subject of correspondence or discussion between our two Governments—first, in 1873–74, when there was a movement for having the boundary-line marked by a Commission of scientific experts (and it was then understood that the boundary-line crossed the Rivers Skoot, Stikine, Taku, Islecat, and Chilcat at some place above the point where they respectively empty into the inlets of the ocean); and, shortly after that, when there was some question as to where the boundary crossed the Stikine.

I referred incidentally to the case of Peter Martin in 1877, the correspondence in respect to which appears in "Foreign Relations of the United States, 1877,"

pp. 266-271, and to the provisional Agreement for Customs purposes in 1878, the correspondence in respect to which appears in "Foreign Relations of the United States, 1878," pp. 339, 346-7. The slight conflict of jurisdiction in the vicinity of Lake Lindeman, shortly after the discovery of gold in the Yukon district, seems to have but little bearing, as it related to territory between Lake Lindeman and the White Pass.

It appears clearly that not until after the Joint High Commission was created, 30th May, 1898, did either Great Britain or Canada ever advance the claim to any portion of territory lying adjacent to the inlets of the ocean, nor to the waters thereof, nor have they objected to the occupation of the same by the Government of the United States or its citizens, and at no time has any part of the territory, so lately put in dispute, been held or occupied by Canadian or British authorities.

The towns, settlements, and industries about the head of Lynn Canal and the other inlets embraced in this strip of territory, having been established under these circumstances—a wholly different situation has been created in regard to them from that involved in the Venezuela Case, so utterly different that the Government of the United States would feel that it was not properly guarding the rights of its citizens if it should consent to put these settlements in peril by applying to them the terms of the Venezuela Treaty, which was designed for a wholly different state of affairs; nor would the President feel justified in submitting the questions involved to any arbitration, unless our settlements—made in good faith before this new claim was presented on the part of Canada—were expressly exempted from its operation.

I also called your Lordship's attention to a material difference between the questions to be decided by the two Tribunals; in the one case, the disputed interpretation of a Treaty definition of a boundary-line in a Treaty made seventy-four years ago, and remaining undisputed through the long period of the Russian occupancy and administration of the *lisière*, and through nearly all the time that the territory has been held by the United States under the cession from Russia, and only very lately brought in question. In this case the interpretation is to be made in the light of prior and subsequent historical facts of occupation, administration, and recognition, and of the acts and omissions of the parties concerned. Here, while the question of actual settlement and administration is collateral to the main subject of arbitration and, being of great importance, is rightly to be guarded by the distinct understanding suggested by the President, it is not, as in the Venezuela case, the essential point directly at issue. In the other case the controversy rested, not upon the interpretation of any such Treaty definition of the boundary-line, but essentially upon the historical facts of occupancy and possession, out of which the Arbitrators were to determine the boundary-line in conformity to the rules prescribed to them.

Your Lordship's proposal for an arbitration will be entertained by the President with that earnest consideration which its importance, and the high source from which it comes, deserves—and having thus laid before your Lordship reasons for his judgment, that the two cases are radically different, and the terms of the Venezuela Treaty, as it stands, are utterly inapplicable to the present case, he thinks it would be wise, at this stage of the negotiation, to have a comparison of views—and would be much gratified if your Lordship would give your views in return upon the matter now presented, and would communicate the grounds upon which your Lordship bases the opinion that "there is nothing in the Venezuela Treaty which is inapplicable, or which would be inconsistent with an equitable solution of the Alaska controversy."

When the conflicting views of the parties are thus disclosed, they may, perhaps, be reconciled or adjusted by mutual concessions, and so may the way be paved for an ultimate agreement.

I remain, &c.
(Signed) JOSEPH H. CHOATE.

No. 126.

Colonial Office to Foreign Office.—(Received August 11.)

Sir,

Downing Street, August 10, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to your letter of the 7th instant on the subject of the Provisional Alaska Boundary, a paraphrase of a

telegram which he has addressed to the Governor-General of Canada, after causing the concurrence of the Foreign Office to be obtained unofficially.

I am, &c.
(Signed) C. P. LUCAS.

Inclosure in No. 126.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Telegraphic.) P.

Colonial Office, August 9, 1899.

PROVISIONAL boundary on Dalton Trail. United States' Government propose a line starting from peak marked 5490, going west to junction of Chilcat and Klehini Rivers, thence north of Klehini in a west-north-westerly direction to peak marked 5025, and thence south-west, crossing Klehini at a point just above Porcupine Creek, to summit marked 6500. It is maintained that many Americans would be left under Canadian jurisdiction if this line were adopted.

Her Majesty's Government having objected to this proposal, it is suggested by the United States' Secretary of State, that the line might be drawn from the peak marked 6500 in the direction of the one marked 5025, but that it should stop at the Klehini and follow its course to its junction with the Chilcat, as in the former proposal made by the United States' Government. It is said that this is necessary in order to secure to Americans access to mine-workings on the south bank of the Klehini.

This last proposal, which appears to be only a recognition of the *status quo* should, in the opinion of Her Majesty's Government be accepted, subject to the provisional line being marked by beacons from the junction of the rivers to Porcupine Creek. I hope that your Ministers will acquiesce in order that the way for a discussion of the basis for a permanent settlement may be cleared.

No. 127.

Mr. Tower to the Marquess of Salisbury.—(Received August 14.)

(No. 225.)

My Lord,

Newport, Rhode Island, July 29, 1899.

UPON receipt of your Lordship's telegram No. 93 of yesterday's date, I addressed a note this day to the United States' Secretary of State, in compliance with your Lordship's instructions, expressing the regret of Her Majesty's Government that their endeavour to ascertain whether some compromise could not be arranged by direct negotiation between the two Governments has led to a considerable increase in the demands of the United States.

I added that, unless the Government of the United States are prepared to second the efforts of that of Her Majesty to find a *via media*, it would appear to be impossible to make any further attempt to determine a provisional boundary-line.

I thought it well to recapitulate in my note, copy of which is herewith inclosed :—

1. The first counter-proposal made by Mr. Hay ;
2. My own alternative proposal, including within United States' jurisdiction the whole of the Porcupine Creek, and otherwise preserving the main portion of the last Canadian proposal, marked "H.G.F." in the map sent by the Earl of Minto on the 4th instant ; and
3. The final proposal made by Mr. Hay, as reported at the end of my despatch No. 218 of the 25th instant.

I have, &c.
(Signed) REGINALD TOWER.

Inclosure in No. 127.

Mr. Tower to Mr. Hay.

Sir,

Newport, Rhode Island, July 29, 1899.

I HAVE the honour to inform you that I communicated to the Marquess of Salisbury by telegraph the contents of the Memorandum addressed to this Embassy on the 24th instant, and reported the line indicated by you on the map as being the most appropriate for the provisional Alaskan boundary.

Accompanying this Memorandum you returned to me sheets Nos. 17 and 18 of the survey made by the British Commission in 1892, with a line marked in red ink, which, in the judgment of the United States' Government, would meet the requirements of the case, in view of the alleged settlements of American miners on the banks of the Porcupine Creek.

This line was drawn as follows :—

Starting from peak marked 5490 (to the westward), the line to be drawn to the junction of the Rivers Klehini and Chilkat, thence diverging in a north-westerly direction to the summit marked 6380, the Chilkat Peak ; thence in a west-south-westerly direction to the peak 4525, and continuing due west to the peak 5800.

In your Memorandum you stated that "it is true that this line lies a short distance north of the one formerly suggested by the Secretary of State. If this fact presents an insuperable objection to the acceptance of this line by the British Government, the Secretary of State will not insist upon it, but will fall back to the river, and make the best of that inconvenient and unsatisfactory line."

During our subsequent conversation of the 24th instant you were courteous enough to admit that it could hardly be expected that Her Majesty's Government would accept the line as above specified, and I thereupon made an alternative suggestion to you, on my own personal initiative, as a possible compromise between the claims advanced on either side. This, as you will recollect, was as follows :—

Starting from the westward, the line to be drawn, as in the last proposal made by Her Majesty's Government, from the peak marked 5490 to the junction of the Rivers Klehini and Chilkat ; thence producing that line (to the south of the Klehini) to the peak marked 2800 ; thence nearly north to the junction of the Porcupine Creek and the Klehini River ; thence in a south-westerly direction to the summit marked 6500.

The above appeared to me a fair and reasonable compromise, including, as it did, within United States' jurisdiction the whole of the Porcupine Creek, with its settlements of American miners, and yet preserving that portion of the British proposal marked on the map which accompanied my Memorandum of the 20th instant as "H.G.F.," viz., from the peak marked 5490 through the junction of the rivers to the peak 2800.

You expressed your unwillingness to agree to my suggestion on the following grounds :—

1. It would be difficult to determine the extent of territory which should belong to either country on the banks of the Porcupine Creek.

2. That the question of the ingress or egress to the creek by American miners might be fraught with difficulty.

3. That a large portion of the Dalton Trail would be thus relinquished by the United States.

I am now in receipt of a telegraphic reply from the Marquess of Salisbury, in which his Lordship directs me to express the regret of Her Majesty's Government that their endeavour to ascertain whether some compromise could not be arranged by direct negotiation between us has led to a considerable increase in the demands made by the United States.

I am to state that, unless the Government of the United States are prepared to second the efforts of that of Her Majesty to find a *via media*, it would appear to be impossible to make any further attempt to determine a provisional boundary-line.

I have, &c.

(Signed) REGINALD TOWER.

No. 128.

Colonial Office to Foreign Office.—(Received August 16.)

(Confidential.)

Sir,

Downing Street, August 15, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from this Department of the 2nd instant, a copy of a telegram from the Earl of Minto on the subject of the date of the departure from Canada of a Delegate to discuss the Alaska boundary question.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure in No. 128.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Confidential.)

(Telegraphic.) P.

[Received August 12, 1899, 8.40 P.M.]

PREMIER asks me to inform you that it will be impossible for the Delegate who is to discuss the Alaska boundary question to leave here till the week after next owing to the lateness of the Session.

No. 129.

Mr. Tower to the Marquess of Salisbury.—(Received August 17.)

(No. 232.)

My Lord,

Newport, Rhode Island, August 6, 1899.

IN continuation of my despatch No. 225 of the 29th ultimo respecting the provisional Alaska boundary, I have the honour to transmit herewith copy of a note which I have this day received from Mr. Hay in reply to my note of the 29th ultimo.

As your Lordship will observe, Mr. Hay regrets the impression formed by Her Majesty's Government of the increased demands made by the United States, and feels sure that, on reflection, your Lordship will not permanently retain that view of the attitude assumed by him.

He reiterates the proposal that the line should be drawn commencing from the westward, from the peak marked 6500, to the west of the Porcupine Creek, across the Klehini River to the peak 5025 (or 5020 in the United States' Map). This, he considers, is reasonable arrangement, as not withdrawing from Canadian jurisdiction any British subjects nor an inch of ground ever occupied by Canada; while "it leaves many Americans under Canadian jurisdiction in the more northerly regions of the trail."

As to this, he states that the United States "cheerfully trust to the equity and fairness of the British Government."

Mr. Hay concludes by stating that, if this suggestion is rejected, which he earnestly hopes will prove not to be the case, then the line might be drawn from 6500 in the direction of 5020, but to stop at the Klehini and follow its course to its junction with the Chilkat, as proposed by the United States some weeks ago.

I have communicated to your Lordship by telegraph this day the substance of the United States' note.

Mr. Hay has asked me privately if I could furnish him with two copies of sheets Nos. 17 and 18 of the survey made by the British Commission in 1892. Should there be no objection to a compliance with this request, I venture to suggest that I may be supplied with them for presentation to the Secretary of State.

I have, &c.

(Signed) REGINALD TOWER.

Inclosure in No. 129.

Mr. Hay to Mr. Tower.

Sir,

Department of State, Washington, August 3, 1899.

I HAVE your note of the 29th July, and I hardly think Lord Salisbury can have understood the Memorandum I gave you in regard to a *modus vivendi* on the Dalton Trail. You cannot have forgotten our original proposition and the great concessions we have made since then; and, as to the fact, which I do not dispute, that we are now suggesting a line a little to the north of the one we last proposed, the reasons for this change are clearly stated in the Memorandum itself.

The point which we have steadily kept in view throughout these negotiations has been the retention, under American protection and jurisdiction, of those American citizens who have settled south of the Klehini River, and especially on Porcupine Creek. On the other hand, every proposition made by the British Government would, if accepted by us, have resulted in throwing these people into Canadian jurisdiction—to the great inconvenience and annoyance of both countries, as I have constantly tried to show. The British Government objected to the line of the Klehini as vague and ill-defined, an objection which I found, on consultation with the topographers of the coast survey, to be not without foundation. As we were unable, after all the concessions we had made, to recede any farther to the south, I endeavoured to meet the objections of your Government by proposing a more feasible and definite line a little north of the Klehini. At the same time, as you know, I did not insist upon this line, because I foresaw the possibility of Her Majesty's Government being unwilling to accept it. I very greatly regret that my offer, made with the intention of proposing a practical and easily ascertainable line, has been regarded as “a considerable increase in our demands.” I am sure that, on reflection, Her Majesty's Government will not permanently retain that impression,

I now suggest two alternatives, with either of which the Government of the United States will be satisfied. One, which I mentioned verbally to you, and which I have communicated to Mr. Choate, is to draw a line from the peak west of Porcupine Creek, numbered 6500 on Sheet No. 10 of the United States' Commission of the 31st December, 1895, across the Klehini River to a peak numbered 5020, and thence to the junction of the Chilkat and Klehini. [On Sheet No. 5 of March 1898, Department of the Interior, Ottawa, these numbers are 6500 and 5025.]

This seems a reasonable arrangement. It does not take from Canadian jurisdiction a single British subject nor an inch of ground which Canada has ever occupied. It leaves many Americans under Canadian jurisdiction in the more northerly regions of the trail, but as to this we cheerfully trust to the equity and fairness of the British Government.

If this suggestion is rejected, which I earnestly hope will prove not to be the case, then the line might be drawn from 6500 in the direction of 5020, but to stop at the Klehini and follow its course to its junction with the Chilkat as proposed by us several weeks ago. I recognize the value of all the objections which you have made to this line, but the only alternative seems to be to cross the river for a better one.

I am, &c.

(Signed) JOHN HAY.

No. 130.

Mr. Tower to the Marquess of Salisbury.—(Received August 17.)

(No. 235. Very Confidential.)

My Lord,

Newport, Rhode Island, August 7, 1899.

WITH reference to my despatch No. 232 of to-day, inclosing copy of a note from the United States' Secretary of State concerning the provisional Alaskan Boundary, I have the honour to transmit copy of a letter marked “Private and Personal,” which I have also received from Mr. Hay.

I have merely acknowledged the receipt of this letter, informing him that his

oral proposal, referred to in the 2nd paragraph of the inclosed letter, was submitted by me to your Lordship, by telegraph on the 24th ultimo, and that the contents of his official note No. 1529 have been also brought to your Lordship's knowledge.

I have, &c.

(Signed) REGINALD TOWER.

Inclosure in No. 130.

Mr. Hay to Mr. Tower.

(Private.)

Dear Mr. Tower,

Department of State, Washington, August 3, 1899.

I WAS greatly distressed at receiving your note of the 29th. When you consider that our first proposition for a *modus vivendi* was to take a point full 12 miles north of the one we are now discussing, and that we have been constantly endeavouring ever since to find something that will suit you, I could not but wonder at the tone of your note. Besides, as you know, it makes no earthly difference to you or to Canada whether the line for this temporary arrangement is drawn 2 miles north or 2 miles south of the Klehini—while the fact that the Porcupine swarms with American settlers makes it most difficult for us to exclude them from our jurisdiction, and would bring endless annoyances to both of us if they were brought temporarily under Canadian control.

In the note which goes to you with this I have proposed the compromise I suggested orally to you, and which you have apparently not communicated to your Government. It avoids the troublesome and difficult line of the Klehini and gives us a clean line from 6500 to 5020, and puts in our hands only a trifling bit of a triangle north of the river.

I sincerely hope this will be acceptable, if not, I can only offer again the line of the river, awkward and inconvenient as both of us know that to be.

Yours faithfully,

(Signed) JOHN HAY.

No. 131.

The Marquess of Salisbury to Mr. Tower.

(No. 184.)

Sir,

Foreign Office, August 17, 1899.

I HAVE received your despatch No. 225 of the 29th ultimo inclosing a copy of the note which you addressed to the United States' Government, according to your instructions, in reply to the suggestions made in Mr. Hay's Memorandum of the 24th ultimo for a provisional boundary-line in the neighbourhood of the Lynn Canal.

The terms of your note are approved.

I am, &c.

(Signed) SALISBURY.

No. 132.

Mr. Tower to the Marquess of Salisbury.—(Received August 19.)

(No. 239.)

My Lord,

Newport, Rhode Island, August 10, 1899.

I HAVE the honour to report that I have this day received a request from the Governor-General of Canada to obtain permission from the United States' Government for a detachment of 100 officers, non-commissioned officers and men, to pass from the summit of White Pass to Skagway on their way home.

I inclose herewith copy of an approved Minute of the Canadian Privy Council.

I have addressed a note to the United States' Secretary of State, applying for the desired permission.

I have, &c.

(Signed) REGINALD TOWER.

Inclosure in No. 132.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 4th August, 1899.

THE Committee of the Privy Council, on the recommendation of the Minister of Militia and Defence, advise that your Excellency be moved to make application to the United States' Secretary of State for permission to allow a detachment of 100 officers, non-commissioned officers and men, to pass from the summit of the White Pass to Skagway, on their way home.

All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. McGEE,
Clerk of the Privy Council.

No. 133.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, August 19, 1899.

WITH reference to my letter of the 5th ultimo, inclosing a copy of a note to the United States' Ambassador, in which it was proposed that the terms of the Treaty of Arbitration with Venezuela should be applied to the determination of the Alaska boundary, I am directed by the Marquess of Salisbury to transmit to you, to be laid before the Secretary of State for the Colonies, a copy of a despatch which his Lordship has addressed to Her Majesty's Chargé d'Affaires at Washington,* recording a conversation with Mr. Choate on the subject of that proposal, which the United States' Government are unable to accept as it stands.

After setting forth in detail the grounds on which the President considers the Venezuelan Treaty to be inapplicable to the Alaska controversy, Mr. Choate said he was instructed to ask for an expression of the views of Her Majesty's Government on the arguments which he had presented.

Lord Salisbury would be glad to learn the nature of the answer which, in Mr. Chamberlain's opinion, should be returned to Mr. Choate's communication.

I am, &c.

(Signed) F. H. VILLIERS.

No. 134.

Colonial Office to Foreign Office.—(Received August 22.)

(Confidential.)

Sir,

Downing Street, August 22, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the consideration of the Marquess of Salisbury, with reference to the letter from this Department of the 10th instant, a copy of a telegram from the Governor-General of Canada on the subject of the provisional Alaska boundary.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure in No. 134.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

[Received August 20, 1899.]

REFERRING to your letter of the 9th concerning provisional Alaska boundary on Chilcat River, my Ministers will agree to second line proposed, while suggesting a slight modification. The proposed line is from the peak marked 6500 in

No. 133*.

The Marquess of Salisbury to Mr. Tower.

(No. 94.)

(Telegraphic.) P.

Foreign Office, August 21, 1899.

REFERRING to your despatch No. 232 of the 6th instant, you should apply to the Canadian Government for the maps and communicate them to Mr. Hay.

the direction of the one marked 5025, but it stops at the Klehini River, the course of which it follows to its junction with the Chilcat, going thence in an east-northern direction to the summit of the peak marked 5490. The suggestion of my Ministers is that instead of following the course of the Klehini the line should follow the high bank of that river, as on account of the gravelly bottom the course is shifting from year to year. The line ought to be marked on the ground by monuments.

While agreeing to this provisional line, my Ministers would urge the immediate reference of the permanent boundary to arbitration.

No. 135.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, August 23, 1899.

WITH reference to my letter of the 7th instant, inclosing a telegram from Her Majesty's Chargé d'Affaires at Washington, I am directed by the Marquess of Salisbury to transmit to you, for Mr. Secretary Chamberlain's information, a copy of Mr. Tower's despatch,* in which he forwards the text of the note, which he received from Mr. Hay, containing further proposals for the provisional boundary-line with Alaska.

Lord Salisbury has instructed Mr. Tower by telegraph to apply to the Canadian Government for the sheets of the survey map which have been asked for by Mr. Hay.

I am, &c.
(Signed) F. H. VILLIERS.

No. 136.

The Marquess of Salisbury to Mr. Tower.

(No. 95.)

(Telegraphic.) P.

Foreign Office, August 24, 1899.

REFERRING to your telegram No. 63 of the 6th instant, instructions have been sent to the Governor-General of Canada to repeat to you his telegram, dated the 19th August, in which he accepts, with slight alteration, the alternative proposal of the United States' Government in regard to the Alaska provisional boundary. You should communicate to Mr. Hay the substance of that telegram, with the exception of the last paragraph, at the same time expressing to him the hope of Her Majesty's Government that a settlement of the provisional line may be arrived at in accordance with its terms.

No. 137.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, August 24, 1899.

I LAID before the Marquess of Salisbury your letter of the 22nd instant, inclosing a telegram from the Governor-General of Canada, from which it appears that the Canadian Government are willing to accept the latest proposal of the United States' Government in regard to the provisional line of boundary with Alaska, subject to a slight modification.

I am directed by his Lordship to request that the Governor-General may be asked to repeat his telegram to Her Majesty's Chargé d'Affaires at Newport, Rhode Island, and I am to state, for Mr. Secretary Chamberlain's information, that Mr. Tower has been instructed by telegraph to communicate its substance to the United States' Government, and to express the hope of Her Majesty's Government that the provisional line may be settled in accordance with the suggestion of the Canadian Government.

I am, &c.
(Signed) F. H. VILLIERS.

* No. 129.

No. 138.

Colonial Office to Foreign Office.—(Received August 25.)

(Confidential.)

Sir,

Downing Street, August 24, 1899.

WITH reference to the letter from this Office of the 15th instant, I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, the accompanying paraphrase of a telegram from the Governor-General of Canada, stating that his Government propose to send Sir Louis Davies as their Delegate in the matter of the Alaska boundary discussion, and inquiring whether, if he were to leave Canada on the 6th or 9th September, he would arrive at a convenient time for the discussion.

I am to say that either of the dates mentioned would be convenient to this Office, and to ask whether they would be equally convenient to your Department.

I am, &c.

(Signed) C. P. LUCAS.

Inclosure in No. 138.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

[Received August 22, 1899.]

MY Government propose to send Sir Louis Davies as their Delegate in the matter of the Alaska boundary discussion. He proposes to leave Canada on the 6th or 9th September, but asks me first to ascertain whether that date would be convenient to other Representatives. What reply shall I give him?

No. 139.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, August 26, 1899.

I LAID before the Marquess of Salisbury your letter of the 24th instant, notifying the proposal of the Canadian Government to send Sir Louis Davies to this country as their Delegate for the discussion of the Alaska boundary question, and I am directed by his Lordship to state, for Mr. Secretary Chamberlain's information, that either of the dates named for Sir L. Davies' departure will be convenient to this Department.

I am, &c.

(Signed) F. H. VILLIERS.

No. 140.

Mr. Tower to the Marquess of Salisbury.—(Received August 28.)

(No. 240.)

My Lord,

Newport, Rhode Island, August 14, 1899.

WITH reference to my despatch No. 239 of the 10th instant, concerning the permission desired by the Canadian Government for a detachment of men to pass from the summit of White Pass to Skagway, I have the honour to transmit herewith copy of a note which I have received, in reply to my application to the United States' Department of State, granting the permission under the same Regulations which have heretofore governed the passage of a force of the one country through the north-western territory of the other.

I have communicated the inclosed note to the Governor-General of Canada.

I have, &c.

(Signed) REGINALD TOWER.

Inclosure in No. 140.

Mr. Adee to Mr. Tower.

Sir, *Department of State, Washington, August 12, 1899.*

I HAVE the honour to acknowledge the receipt of your note of the 10th instant, whereby, at the instance of the Governor-General of Canada, you apply for permission for a detachment of 100 officers, non-commissioned officers, and men to pass from the summit of White Pass to Skagway on their way home.

In reply I have the pleasure to inform you that the desired permission is granted, under the same regulations which have heretofore governed the passage of a force of the one country through the north-western territory of the other, namely, that the men shall not be under arms, and that arms and munitions of war shall go through United States' territory as baggage.

The Secretaries of the Treasury and of War have been advised of the granting of this permission, and have been requested to give appropriate orders to facilitate, in every possible way, the passage of the British detachment, while the Secretary of War has been further asked to direct the Commanding Officer at Skagway to furnish, if desired, an escort for the detachment from the summit of White Pass to Skagway.

I have, &c.

(Signed) ALVEY A. ADEE,
Acting Secretary.

No. 141.

Mr. Tower to the Marquess of Salisbury.—(Received August 28.)

(No. 242.)

My Lord,

Newport, Rhode Island, August 15, 1899.

WITH reference to my despatch No. 176 of the 12th June last, I have the honour to transmit copies of a further order from the War Department, specifying the limits of the military reservation for the post of Fort Gibbon, where the Tanana River joins the Yukon, district of Alaska.

I have, &c.,

(Signed) REGINALD TOWER.

Inclosure in No. 141.

General Orders, No. 142.

*Head-quarters of the Army, Adjutant-General's Office,
Washington, August 5, 1899.*

THE following order from the War Department is published for the information and guidance of all concerned :—

War Department, Washington, August 2, 1899.

The President, by order, dated 10th July last, having set apart for military purposes the following described public lands, located at the point where the Tannana River joins the Yukon, district of Alaska, the same are declared a military reservation for the post of Fort Gibbon, subject to any existing legal rights to any land within the limits of the reservation, viz. :—

Beginning at a post marked U.S.M.R. situated on the north or right bank of the Yukon River, opposite the mouth of the Tannana River; thence running due north from said post 10 miles; thence due west 10 miles; thence due south to a point at low-water mark on the north bank of the Yukon River; thence easterly along the

north bank of said Yukon River at low-water mark to a point due south of said beginning post ; thence north to the place of beginning.

(Signed)

ELIHU ROOT,
Secretary of War.

By command of Major-General Miles.

(Signed)

H. C. CORBIN,
Adjutant-General.

No. 142.

Colonial Office to Foreign Office.—(Received August 28.)

(Confidential.)

Sir,

Downing Street, August 28, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 24th instant on the subject of the proposed Provisional Boundary in the region of the Lynn Canal, and to request you to inform the Marquess of Salisbury that the Governor-General of Canada has been asked to repeat his telegram of the 19th instant to Mr. Tower at Newport, Rhode Island, and to explain to him that by "high bank" is meant the southern bank of the Klehini, the meaning of that phrase having been elucidated by the telegraphic correspondence, of which a paraphrase is inclosed.

I am, &c.

(Signed) C. P. LUCAS.

Inclosure 1 No. 142.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Telegraphic.) P.

Downing Street, August 23, 1899.

IF phrase "high bank" in your telegram of 19th instant relating to Provisional Boundary is correct, which bank does it mean ?

Inclosure 2 in No. 142.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

[Received August 24, 1899].

THE words "high bank" in my telegram of the 19th instant are correct. They refer to the southern bank of the Klehini.

No. 143.

Colonial Office to Foreign Office.—(Received August 29.)

(Confidential.)

Sir,

Downing Street, August 29, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 26th instant, a copy of a telegram to the Governor-General of Canada on the subject of the proposed discussion of the Alaska Boundary question by Representatives of Her Majesty's and the Canadian Governments.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure in No. 143.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Telegraphic.)

Downing Street, August 28, 1899.

REFERRING to your telegram of 22nd August, dates for departure of Minister of Marine will be convenient.

No. 144.

Mr. Tower to the Marquess of Salisbury.—(Received September 7.)

(No. 65.)

(Telegraphic.) P.

Newport, Rhode Island, September 7, 1899.

YOUR Lordship's telegram No. 95 (24th August) respecting the Alaska provisional boundary.

Following is substance of Mr. Hay's reply to my note of 27th August :—

Assuming that the purpose is to obviate difficulties consequent on following the unstable bed of the Klehini River. Mr. Hay, though unable to ascertain the significance of the phrase "high bank," accepts the Canadian modification in that sense; and he expresses confidence that due and equal consideration can and will thereby be effected for the respective interests concerned.

The following is the line agreed upon :—

"From 6,500 to Klehini River in the direction of 5,025, then following the high bank of that river to its junction with Chilcat, a mile and a-half more or less north of Klakwan, provided that free ingress and egress of American citizens to and from valley of Porcupine Creek is permitted, and from junction to peak 5,490."

Commissioners could immediately be appointed by the United States' Government to mark the temporary line agreed upon by the erection of appropriate monuments in conjunction with those of Her Majesty's Government.

Copy of Mr. Hay's note will be sent by Saturday's mail.

No. 145.

Foreign Office to Mr. Tower.

(No. 97.)

(Telegraphic.) P.

Foreign Office, September 9, 1899.

REFERRING to your telegram No. 65 of the 7th September, I have to inform you that the Canadian Government have explained that they mean by the expression "high bank" the right or south bank. This should be made clear to the United States' Government.

No. 146.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, September 9, 1899.

WITH reference to your letter of the 28th ultimo respecting the provisional line of boundary with Alaska, I am directed by the Marquess of Salisbury to transmit to you a telegram from Mr. Tower,* reporting that the United States' Government accept the Canadian modification of their last proposal, provided free ingress and egress be permitted to American citizens passing to and from the valley of Porcupine Creek.

I am to request that the reply of the United States' Government may be communicated to the Governor-General of Canada. Lord Salisbury would suggest that Mr. Secretary Chamberlain should, at the same time, ask his Excellency to give the assurance required with regard to access to Porcupine Creek, and also to state what reply he would wish to be returned to the proposal that Commissioners should at once be appointed to mark the temporary line by the erection of appropriate monuments.

* No. 144.

I am to add that Mr. Tower has been instructed to make it clear that the "high bank" referred to in the Governor-General's telegram of the 20th ultimo is the right, or south, bank of the Klehini River.

I am, &c.
(Signed) F. H. VILLIERS.

No. 147.

Mr. Tower to the Marquess of Salisbury.—(Received September 11.)

(No. 246.)

My Lord,

Newport, Rhode Island, August 27, 1899.

I HAD the honour, on the 24th instant, to receive your Lordship's telegram No. 95, instructing me to communicate to the United States' Secretary of State the reply of the Dominion Government to the proposals for a provisional boundary-line in Alaska, as submitted to your Lordship in my telegram No. 63 of the 6th instant.

I received late last night a telegram from the Earl of Minto, containing the reply of the Canadian Government.

I have this day, in compliance with your Lordship's instructions, addressed a note to Mr. Hay, informing him that the Canadian Government agree to his second alternative proposal with a slight modification. Instead of the line being drawn from Peak 6500 towards Peak 5025, stopping at the Klehini River and following the course of that river to its junction with the Chilkat, thence to the Peak 5490, the suggestion is that the line should follow the high bank of the Klehini, the reason adduced being that the course of the river is shifting from year to year on account of the gravelly bottom.

In my note I communicated the desire that the line should be marked upon the ground by the erection of monuments, and expressed the hope of Her Majesty's Government that it may now be possible to come to a settlement of the provisional boundary question as above indicated.

I have, &c.
(Signed) REGINALD TOWER.

Inclosure in No. 147.

Mr. Tower to Mr. Hay.

Sir,

Newport, Rhode Island, August 27, 1899.

I HAD the honour to receive your note dated the 3rd, on the 6th instant, and immediately brought its contents to the knowledge of the Marquess of Salisbury by telegraph, specifying the alternative proposals put forward by you for a provisional boundary-line in Alaska, viz.:—

1. The line to be drawn from the Peak west of Porcupine Creek, marked 6500, across the Klehini River to the Peak 5025, and thence to the junction of the Chilkat and Klehini rivers;

2. The line to be drawn from 6500 in the direction of 5025, but to stop at the Klehini and follow its course to its junction with the Chilkat, thence to the summit of the Peak 5490.

In explaining the above, I reported your statement that the former proposal would still leave many Americans under Canadian jurisdiction in the more northerly regions of the trail.

I am now in receipt of telegraphic instructions from the Marquess of Salisbury to communicate to you the reply received from the Canadian Government to the following effect:—

The Government of the Dominion of Canada will agree to the second line proposed, but suggest a slight modification.

Instead of following the course of the Klehini River, it is proposed that the line should follow the high bank of that river.

This would appear to obviate many of the objections which have been previously raised to the river being taken as to the boundary, and is the more necessary as the river flows through many channels over a bed of gravel, sometimes filling the whole bed

and sometimes shrunk to the dimensions of a small stream. On account of its gravelly bottom the river course is shifting from year to year.

In submitting to you the above slight modification of the second alternative proposed by your note, I am directed to express the hope of Her Majesty's Government that it may now be possible to come to a settlement of the provisional boundary question as above indicated, marking the line upon the ground by the erection of monuments.

I have, &c.
(Signed) REGINALD TOWER.

No. 148.

Colonial Office to Foreign Office.—(Received September 13.)

(Confidential.)

Sir,

Downing Street, September 12, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 9th instant, paraphrase of a telegram to the Governor-General of Canada on the subject of proposed establishment of a provisional boundary in the region of the Lynn Canal.

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure in No. 148.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Telegraphic.) P.

Downing Street, September 11, 1899, 6 P.M.

FOLLOWING telegram, dated 7th September, has been received from Mr. Tower at Newport.

[Mr. Tower's telegram No. 65 of 7th September].

The assurance required with regard to access to Porcupine Creek will, we presume, be given to your Ministers.

What reply should be given to the proposal for the immediate appointment of Demarcation Commissioners?

Mr. Tower has been told to make it clear that "high bank" of Klehini means the right or southern bank.

No. 149.

Colonial Office to Foreign Office.—(Received September 13.)

(Confidential.)

Sir,

Downing Street, September 12, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to previous correspondence, a copy of the despatch from the Governor-General of Canada on the subject of the proposal made by Her Majesty's Government to the United States' Government for the settlement of the Alaska boundary dispute by the grant of a lease of territory to Canada on the terms of the Chinde Concession.

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure 1 in No. 149.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Confidential.)

Sir,

The Citadel, Quebec, August 24, 1899.

WITH reference to your despatch of the 27th ultimo, marked Confidential, communicating the terms of a proposal made by Her Majesty's Government to the United States' Government for the settlement of the Alaska boundary dispute, I have the honour to forward herewith a copy of an approved Minute of the Privy Council dealing with that proposal.

You will observe that Ministers are of opinion that no settlement of this question by compromise can be hoped for, and its only solution would be by a reference of the whole matter to arbitration.

I have, &c.
(Signed) MINTO.

Inclosure 2 in No. 149.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 19th August, 1899.

THE Committee of the Privy Council have had under consideration a Confidential despatch, dated the 27th July, 1899, from the Right Honourable the Principal Secretary of State for the Colonies, respecting a proposition made by the Most Honourable the Marquess of Salisbury to Mr. Choate on the 18th July, 1899, with reference to the general question of the Alaska boundary.

The President of the Privy Council, to whom the said despatch was referred, submits the annexed Report thereon.

The Committee concur in the said Report, and advise that your Excellency be moved to transmit a certified copy of this Minute and of the said annexed Report to the Right Honourable Her Majesty's Principal Secretary of State for the Colonies.

All which is respectfully submitted for your Excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

PRIVY COUNCIL, CANADA.

The Committee have had under consideration a despatch from the Colonial Office to his Excellency the Governor-General, covering a communication addressed by the Foreign Office to the Colonial Office, acquainting the Colonial Office of a proposition made by the Marquess of Salisbury to Mr. Choate on the 18th July last, with reference to the general question of the Alaska boundary.

The Undersigned, to whom the said despatch was referred, observes :—

The Marquess of Salisbury, in his letter to Mr. Choate of the above date, referring to a verbal proposal previously discussed between them on the said question, continues in the following language :

“My suggestion, which, as I stated, I have reason to believe the Canadian Government would be prepared to accept, was that Canada should have a perpetual lease of territory to the extent of half a square mile at a suitable spot on the Lynn Canal on similar conditions to those on which territory is held by Her Majesty's Government at the Chinde mouth of the Zambezi River, with liberty to construct a railway from there to the Yukon territory.”

Referring to the Convention between Great Britain and Portugal, signed at Lisbon on the 7th May, 1892, under which Her Majesty's Government holds the piece of land at the Chinde mouth of the Zambezi River, to which allusion is made by the Marquess of Salisbury, the Undersigned observes that by the terms of the above Convention the King of Portugal grants in lease to Her Britannic Majesty a piece of land “situated on the right bank of the Chinde River, within the district of Quilimane, in

the Province of Mozambique, forming a rectangular block of 10 hectares, and measuring 400 metres along the river bank by 250 metres in depth," on the following among other conditions:—

"The lease shall run for ninety-nine years uninterruptedly, commencing from the 1st January, 1892.

"The land so leased shall be used exclusively for the purpose of the landing, storage, and transhipment of goods, and for such purposes as may be considered subsidiary thereto; and that the only permanent residents shall be, besides British Consular officials, their families and servants, or the persons employed in the charge, and for the security of such goods.

"In other respects the said land shall be subject to the Portuguese Code in so far as its provisions do not conflict with the stipulations of the Anglo-Portuguese Convention of the 11th June, 1891, of this Agreement."

Her Majesty's Government will be bound—

"(a.) To fence in the said land (with the exception of the side which faces the River Chinde) by a wall, or by a stockade, or by any sort of continuous fence which shall not be less than 3 metres; there shall be one door only on each of the three sides of the fence.

"(b.) Not to permit on the said land the receipt of exit of any goods in contravention of the Portuguese Customs Regulations, accepted by the British Government as being in conformity with the stipulations of the above-named Anglo-Portuguese Convention. Any act in violation of this stipulation shall be considered as evasion of customs duties, and shall be punished accordingly.

"(c.) Not to sell nor allow the sale of any goods in retail on the said land. The sale of quantities less in weight or measure than 1,000 kilog., 1,000 litres, or 1,000 metres is held to be sale in retail."

The Undersigned observes that the concession of a piece of land on the Lynn Canal, accompanied with concessions and restrictions of the nature above recited, even if it were coupled with the liberty to construct a railway from there to the Yukon territory, could hardly be held to be a fair compromise for the settlement of the controversy between Canada and the United States, as to the construction of the Treaty of 1825 respecting the Alaska boundary.

The Undersigned further observes that under the terms of that Treaty, Canada has a very strong case to claim that under the most favourable construction which can be set forth by the United States, her jurisdiction over the Lynn Canal cannot extend more than 10 marine leagues from the coast, and that, consequently, all the upper portion of the canal, which portion is not less than 50 miles, belongs to Canada.

It is quite true that this construction is not admitted by the Government of the United States, and that it interprets the Treaty as conveying to it the whole of the Lynn Canal, and a strip of territory around it.

It would serve no practical purpose to discuss the respective merits of the claims advanced by either party, but it may be remarked that in the face of such wide divergence in the views presented on behalf of both nations, the concessions suggested could hardly be held sufficient to engage Canada to surrender pretensions which, in her opinion, are tantamount to positive rights. Admitting, however, that the Government of the United States also entertains a high opinion of the value of its own case, it seems that no settlement by the way of compromise can be hoped for, and that the only solution is a reference of the whole matter to arbitration.

(Signed) WILFRID LAURIER.

Ottawa, August 17, 1899.

No. 150.

Mr. Tower to the Marquess of Salisbury.—(Received September 16.)

(No. 255.)

My Lord,

Newport, Rhode Island, September 7, 1899.

WITH reference to my despatch No. 246 of the 27th ultimo, transmitting copy of my note of that day to the United States' Secretary of State on the subject of the proposed Canadian modification for the provisional Alaskan boundary-line, I have the honour to inclose herewith copy of a note which I have this day received from Mr. Hay.

As your Lordship will have already learnt from my telegram No. 65 of this day's date, Mr. Hay accepts the Canadian modification as to the "high bank" of the Klehini River being taken as the boundary, but states that he has been unable, from maps and data at his command, to ascertain the significance of the phrase. He assumes, however, from antecedent negotiations, that "the purpose is to draw a line free from the objections raised to one following the unstable bed of the Klehini River, and that its purpose is to be accomplished by setting the monuments at such convenient points on the bank of that river as shall secure them from destruction by flood or by the caving in of the bank."

In his note Mr. Hay specifies the line now agreed upon, and informs me that the United States' Government will at once appoint Commissioners, with those of Her Majesty, to mark the temporary line thus agreed upon by erecting appropriate monuments.

I have, &c.
(Signed) REGINALD TOWER.

Inclosure in No. 150.

Mr. Hay to Mr. Tower.

Sir,

Department of State, Washington, September 6, 1899.

I HAVE had the honour to receive your note of the 27th ultimo, by which you inform me that, having telegraphed to the Marquess of Salisbury the alternative proposals for a provisional boundary in that part of Alaska circumjacent to Lynn Canal, you are now in receipt of telegraphic instructions from his Lordship to communicate to me the reply received from the Canadian Government, to the effect that the Government of the Dominion of Canada will agree to the second of the lines proposed, but suggest a slight modification in that, instead of following the course of the Klehini River, it is proposed that the line should follow "the high bank of that river." You explain that this change is sought in order to obviate the difficulties which have been heretofore brought forward because of the broken nature of the Klehini channel and the variable volume and course of the stream, and, in conclusion, you express the hope of Her Majesty's Government that it may be possible to come to a settlement of the provisional boundary question as above indicated, marking the line upon the ground by the erection of monuments.

The second of the alternatives proposed in my note of the 3rd August was to draw the line from the peak marked "6500"—on sheet No. 10 of the map of the United States' Commission, 31st December, 1895—in the direction of the peak numbered 5025, but to stop at the Klehini and follow its course to the junction of the Chilkat, as proposed by us several weeks before the 3rd August. From that point towards the summit of the peak numbered 5490 we have been in constant agreement.

Your recital of the second alternative accords with this definition.

With these data, and incorporating the details as to which agreement exists, with inclusion of the modification now proposed by the Dominion Government, our agreement as to the main points of the provisional boundary-line in the territory circumjacent to the head of Lynn Canal is reducible to the following definite terms:—

"It shall be agreed between the Governments of the United States and of Great Britain that the boundary-line between Canada and the territory of Alaska in the region about the head of Lynn Canal shall be provisionally fixed without prejudice to the claims of either party in the permanent adjustment of the international boundary."

"In the region of the Dalton Trail, a line beginning at the peak west of Porcupine Creek, marked on the map No. 10 of the United States Commission, December 31, 1895, and on sheet No. 5, Department of the Interior, Ottawa, March 1898, with the No. 6500; thence running to the Klehini River in the direction of the peak north of that river marked 5020 on the aforesaid United States' Map, and 5025 on the aforesaid Canadian Map; thence following the high bank of the Klehini River to the junction thereof with the Chilkat River a mile and a-half, more or less, north of the Klukwan: provided that this line shall be so drawn as to permit the free ingress and egress of American citizens and from the valley of the Porcupine Creek, and from said junction to the summit of the peak east of the Chilkat River marked on the aforesaid maps 5490.

"On the Dyea and Skagway Trails, the summits of the Chilkoot and White Passes.

"It is understood, as formerly set forth in communications of the Department of State of the United States, that the citizens or subjects of either Power, found by this

arrangement within the temporary jurisdiction of the other, shall suffer no diminution of the right and privileges which they now enjoy.

"The Government of the United States will at once appoint Commissioners, in conjunction with Commissioners to be named by the Government of Her Britannic Majesty, to mark the temporary line agreed upon by the erection of appropriate monuments."

I am unable, from any maps or data now at my command, to ascertain the significance of the phrase "the high bank" of the Klehini River which is employed in formulating the modification of my second alternative which is proposed by the Dominion Government. I may, however, rightly assume from the antecedent negotiation that the purpose is draw a line free from objections raised to one following the unstable bed of the Klehini River, and that this purpose is to be accomplished by setting the monuments at such convenient points on the bank of that river as shall secure them from destruction by flood or by the caving in of the bank.

Without seeking, however, to establish these points now upon a conjectural basis, the proposed modification is accepted in the confidence that the fixation of the provisional boundary-line in that quarter can and will be effected with due and equal consideration for the respective interests concerned.

I have, &c.
(Signed) JOHN HAY.

No. 151.

Mr. Tower to the Marquess of Salisbury.—(Received September 25.)

(No. 260.)

My Lord,

Newport, Rhode Island, September 10, 1899.

I HAVE the honour to transmit herewith copy of a note which I have this day addressed to the United States' Secretary of State, in compliance with the instructions contained in your Lordship's telegram No. 97 of yesterday's date, explaining that by the "high bank" of the Klehini River, the right, or southern, bank is meant.

I have, &c.
(Signed) REGINALD TOWER.

Inclosure in No. 151.

Mr. Tower to Mr. Hay.

Sir,

Newport, Rhode Island, September 10, 1899.

IN communicating to my Government the contents of your note of the 6th instant, I called the attention of the Marquess of Salisbury to the statement contained therein of your inability, from any maps or data at your command, to ascertain the significance of the phrase "the high bank" of the Klehini River, which was employed in formulating the modification of your second alternative proposal for a provisional boundary-line in that part of Alaska circumjacent to the Lynn Canal.

I have now received a reply by telegraph, stating that, according to explanations furnished by the Canadian Government, the right, or southern, bank is meant.

I have accordingly the honour, by direction of Lord Salisbury, to inform you of the above without delay, in order to remove any possible cause of future misunderstanding in the settlement of this question, which is so earnestly desired by Her Majesty's Government.

I have, &c.
(Signed) REGINALD TOWER.

No. 152.

Mr. Tower to the Marquess of Salisbury.—(Received September 25.)

(No. 265.)

My Lord,

Newport, R.I., September 14, 1899.

UPON receipt of your Lordship's telegram No. 94 of the 21st ultimo, I applied to the Governor-General of Canada for the maps desired by the United States' Secretary of State, and I have this day received from his Excellency, and forwarded to Mr. Hay, in compliance with the latter's request, two copies of sheets Nos. 17 and 18 of the Alaska Boundary Survey made by the British Commission in 1892.

I have, &c.

(Signed) REGINALD TOWER.

No. 153.

Colonial Office to Foreign Office.—(Received September 28.)

(Confidential.)

Sir,

Downing Street, September 27, 1899.

WITH reference to the letter from this Department of the 12th instant, and to your letter of the 21st instant, respecting the Alaska provisional boundary in the neighbourhood of the Dalton Trail, I am directed by Mr. Secretary Chamberlain to transmit to you, for the information of the Marquess of Salisbury, a paraphrase of a telegram from the Governor-General of Canada stating that all necessary explanations as to the proposal of the Dominion Government would be furnished by Sir Louis Davies, who is now in England.

2. The correspondence which accompanied your letter of the 21st instant was accordingly submitted to that gentleman, and I am to inclose a copy of a Memorandum which he has furnished on the subject.

3. I am to point out that to accept, in the form proposed by Mr. Hay in his note of the 6th instant, the proviso as to freedom of access to the valley of the Porcupine Creek would render it impossible to draw the boundary-line without practically transferring both banks of the Klehini to the American side of the provisional boundary; and I am to inclose a modified form of Agreement, in which Sir L. Davies has expressed his concurrence, and which appears to Mr. Chamberlain to guarantee sufficiently the freedom of passage for which the United States' Government ask.

4. If Lord Salisbury concurs in these modifications, Mr. Chamberlain would suggest that Her Majesty's Chargé d'Affaires at Washington should be instructed to submit the Agreement as modified to the United States' Government, and to intimate that he is authorized to sign it at once.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure 1 in No. 153.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

[Received September 25, 1899.]

ALASKA provisional boundary: Your telegram of 11th instant.

All necessary explanations will be given by Sir Louis Davies, who is now in England.

Inclosure 2 in No. 153.

Sir L. H. Davies to Colonial Office.

(Confidential.)

SIR LOUIS H. DAVIES presents his compliments to the Under-Secretary of State for the Colonies, and begs to offer the following observations on the despatches from Mr. Tower dealing with the proposed provisional boundary in the region of the

Lynn Canal. He desires to say that, in his opinion, too much importance cannot be attached to the use of languages, showing, beyond the possibility of doubt, that the lines in question are merely temporary and provisional ones agreed to pending the delimitation of the real boundary, and suggests in this connection that the Agreement recited in Mr. Hay's letter to Mr. Tower should be amended by inserting the word "temporary" in the last line of the first page of Mr. Hay's letter to Mr. Tower, between the words "the" and "boundary-line."

He further is of the opinion that, as this agreed line is only a temporary and provisional one, it is not necessary to appoint Joint Commissioners on behalf of the two Governments to mark it "by the erection of appropriate monuments." Such a course would be eminently desirable and necessary if the line was to be in any way permanent, but he ventures to think that an instruction by each of the two Governments to their officers in the localities as to the lines agreed on would be quite sufficient, and, if this is not enough, the officers of the Canadian North-west Mounted Police and of the United States' force, military or civil, in the vicinity might put up a few stakes or posts at one or two points to indicate where the lines were. The "erection of monuments" gives an importance and implies a permanency that the Canadian Government does not wish attached to this temporary boundary.

With respect to the right of passage expressly provided for American citizens into and over the territory on the Canadian side of the agreed temporary line, he fails to understand with what object these words are inserted. If the object is to enable the miners going to and from Porcupine Creek to take what goods they require with them, words should be inserted to the effect that the right of entry was to be subject to such reasonable "regulations for the protection of the revenue as the Canadian Government should prescribe." The language used in the despatch he thinks capable of misconstruction, as it speaks of "the line to be so drawn," as to permit free egress and ingress, and this involves, or might be held to involve, a movable or variable line. If the sentence was framed as follows: "Provided that American citizens shall be freely permitted to follow the trail between the Porcupine Creek and said junction of the rivers into and across the territory on the Canadian side of "the temporary line wherever the trail crosses to such side, with such goods and articles as they desire to carry with them, but in the latter case subject to such reasonable regulations for the protection of the revenue as the Canadian Government may prescribe," it would, he thinks, carry out what is desired.

The sentence describing the temporary line between the junction and the peak east of the Chilkat River would, he thinks, be rendered much clearer if it was amended by adding the words "the line shall be drawn" between the words "junction" and "to" on the eleventh line of p. 2, and a clause should be added to make clear what is intended by the use of the term "high bank" as follows: "The words 'high bank of the Klehini River' mean the south bank of such river."

He also suggests that the reference to sheet No. 5, Department of the Interior, Ottawa, March 1898, had better be to sheet No. 18 of the British Commission, 31st December, 1895, thus making it correspond with the reference to the United States' Commission.

Hotel Métropole, London, September 23, 1899.

Inclosure 3 in No. 153.

Agreement as to Provisional Boundary at the Head of the Lynn Canal.

[Proposed modifications shown in italics.]

"IT shall be agreed between the Governments of the United States and of Great Britain that the boundary-line between Canada and the Territory of Alaska, in the region about the head of Lynn Canal shall be provisionally fixed without prejudice to the claims of either party in the permanent adjustment of the international boundary.

"In the region of the Dalton Trail, a line beginning at the peak west of Porcupine Creek, marked on the Map No. 10 of the United States' Commission, the 31st December, 1895, and on sheet No. 18 of the British Commission, the 31st December, 1895, with the No. 6500; thence running to the Klehini River in the direction of the peak north of that river marked 5020 on the aforesaid United States' map, and 5025 on the aforesaid British Map; thence following the high or right bank of the Klehini River to the

junction thereof with the Chilkat River, a mile and a-half, more or less, north of Klukwan; provided that persons proceeding to or from Porcupine Creek shall be freely permitted to follow the trail between the said creek and the said junction of the rivers, into and across the territory on the Canadian side of the temporary line wherever the trail crosses to such side, and subject to such reasonable Regulations for the protection of the revenue as the Canadian Government may prescribe, to carry with them over such part or parts of the trail between the said points as may lie on the Canadian side of the temporary line, such goods and articles as they desire, without being required to pay any customs duties on such goods and articles; and from said junction to the summit of the peak east of the Chilkat River marked on the aforesaid maps 5490.

"On the Dyea and Skagway Trails, the summits of the Chilkoot and White Passes.

"It is understood, as formerly set forth in communications of the Department of State of the United States, that the citizens or subjects of either Power, found by this arrangement within the temporary jurisdiction of the other, shall suffer no diminution of the right and privileges which they now enjoy.

"The Government of the United States will at once appoint an officer or officers, in conjunction with an officer or officers to be named by the Government of Her Britannic Majesty, to mark the temporary line agreed upon by the erection of posts, stakes, or other appropriate temporary marks."

No. 154.

Mr. Tower to the Marquess of Salisbury.—(Received October 2.)

(No. 271.)

My Lord,

Newport, Rhode Island, September 21, 1899.

I HAVE the honour to transmit herewith copy of a note which has been addressed to me by the Acting Secretary of State of the United States, objecting to the presence in Skagway of two members of the North-West Mounted Police of Canada.

As your Lordship will observe, Mr. Adee suggests that it would be more to his liking if a Consular Agent were appointed to perform the duties now devolving upon these police agents.

Attention is also called to the fact that the police agent at Skagway wears the uniform of his service.

I have forwarded to the Governor-General of Canada copy of Mr. Adee's note, and have requested his Excellency to inform me what reply his Excellency's Government may desire me to return to the observations therein contained.

I have, &c.

(Signed) REGINALD TOWER.

Inclosure in No. 154.

Mr. Adee to Mr. Tower.

*Department of State, Washington,
September 19, 1898.*

Sir,

I HAVE the honour to advise you that it has recently been ascertained, as the result of reports which have reached me and of investigation made by the Federal Agents of the United States at Skagway, Alaska Territory, that upon a building in that town is displayed a sign reading "North-West Mounted Police of Canada, Office," and that the place is occupied by two members of the North-West Mounted Police, one of whom appears in uniform.

The functions of these two agents are not fully understood. From a notice posted at the doorway, reading as follows:—

*"North-West Mounted Police, Dawson,
November 18, 1898.*

"The Commissioner of the Yukon Territory orders that no person will be permitted to enter the territory without satisfying the North-West Mounted Police

Officers at Tagish and White Horse Rapids, that they have with them two months' assorted provisions and at least 500 dollars in cash, or six months' assorted provisions and not less than 200 dollars in cash, over and above the money required to pay expenses from the border to Dawson.

"N.B.—This order will not apply to residents of the Yukon Territory returning, if they are identified and prove their competence to pay their way into the country.

"By order :
(Signed) "S. B. STEELE, *Superintendent, Commanding North-West Mounted Police, Yukon Territory.*"

It might be inferred that they assert some supervision over persons going into the Yukon Territory. It is also said that one of the men has charge of forwarding police-mail from Skagway to the different police-stations.

So far as appears, the work assigned to these men is of the nature usually assigned to Consular Representatives of a foreign State. It cannot be supposed that they perform any military or police duties which it would not be appropriate for a police officer to perform.

Under these circumstances, the maintenance by the Commander of the North-West Mounted Police of the Yukon Territory of a police agency in Skagway appears open to legitimate objection, which would not be the case were Her Majesty's Government to station a Consular Agent at that point.

I am happy to assure you that this Government would have pleasure in according to such a Consular officer that official recognition which it could not well be asked to give to a police agent, and which it would not give unasked even were it disposed to do so.

As I have mentioned, the police agent now stationed at Skagway is reported to habitually wear the uniform of his service. This fact, while suggesting valid ground for objection, has not appeared to present representations through the diplomatic channel.

Having in mind the desire heretofore expressed by the Dominion Government that members of the armed service of the United States should not wear uniform north of the summits of the Chilkoot and White Passes, and recognizing the reasonableness and propriety of such a rule, the Commander of the United States' detachment posted at Skagway has been decided to reach, if possible, a convenient understanding with the British Commanding Officer whereby the Converse of the Canadian requirement shall be observed with Alaskan jurisdiction, and I doubt not that I shall soon be informed that this arrangement has been brought about.

I have, &c.
(Signed) ALVEY A. ADEE,
Acting Secretary.

No. 155.

Colonial Office to Foreign Office.—(Received October 2)

(Confidential.)

Sir, *Downing Street, September 30, 1899.*

I AM directed by Mr. Secretary Chamberlain to acquaint you, for the information of the Marquess of Salisbury, that he has had before him copy of his Lordship's despatch to Her Majesty's Chargé d'Affaires at Washington, No. 182, of the 2nd August, in which he stated the substance of the representation made by the United States' Ambassador as to the grounds upon which the President felt unable to assent to the proposal recorded in Lord Salisbury's note of the 1st July, for the reference of the Alaska boundary question to arbitration, on the terms adopted in the Treaty of Arbitration between Great Britain and Venezuela.

2. I am to observe at the outset that there appears to be some misapprehension on the part of the United States' Government as to the nature and scope of the proposal submitted to his Excellency, who has treated it as if it only applied to the determination of the boundary in the neighbourhood of the Lynn Canal, instead of to

the whole frontier of the *lisière* of coast defined in the IIIrd and IVth Articles of the Treaty of 1825.

3. No doubt it is in regard to that part of the boundary that the widest divergence of view has arisen between the two Governments, but it only needs a reference to the maps which purport to mark the boundary as claimed by the respective Governments to show that the difference is by no means confined to the region of the Lynn Canal, but extends throughout the whole length of the strip from Portland Channel to Mount St. Elias.

4. The events of the last two or three years arising out of the Yukon gold discoveries have given exceptional prominence and importance to that part of the boundary, but it will hardly be maintained that prior to these events there was any reason why, while the whole line was undetermined, and its settlement was not regarded on either side as a matter of pressing importance, special attention should have been devoted by Her Majesty's Government to that particular region.

5. It is necessary to bear this in mind in considering the various reasons put forward by the United States' Government, on account of which they claim to distinguish the present dispute from that now being discussed before the Tribunal of Arbitration at Paris.

6. The general effect of the United States' contention is that the claim put forward by Her Majesty's Government that the boundary-line should cross the Lynn Canal in the neighbourhood of Berner's Bay, following the general line of the coast range of mountains indicated by the Treaty as the position of the boundary, is a new one first put forward after the Joint High Commission had been created, and that before then Her Majesty's Government had made no claim to the head waters of the canal, or any protest against various acts on the part of Russia and the United States inconsistent with that claim, and that the United States' Government is therefore justified in refusing to allow the question of the possession of these waters to be adjudicated upon by an independent tribunal.

7. I am to point out in the first place that there has been but little discussion of the boundary question between the two Governments, but whenever it has been referred to, it has been on the admitted basis that the whole line was undetermined, and that the interpretation of the boundary Articles of the Treaty was entirely an open question as to which each Government was free to urge its own views.

8. This was the view accepted by President Grant in his Annual Message to Congress of the 2nd December, 1872, and by the late Secretary Bayard in his despatch to Mr. Phelps of the 20th November, 1888, and, as was pointed out in that despatch, no question concerning the true location of the line stipulated in the Treaty had ever arisen between Great Britain and Russia prior to the cession of Alaska to the United States. The only value of the region during that period lay in the fur trade, and during the first ten years after 1825 that trade was thrown open on equal terms to the subjects and citizens of Great Britain, Russia, and the United States by Article VII of the Treaty between Great Britain and Russia of 1825, and Article IV of the Treaty of 1824 between the United States and Russia, and before the expiry of the ten years the negotiations between the Hudson's Bay Company and the Russian American Company which resulted in the lease to the former of the trade of the whole of *lisière* southward and eastward of a line joining Cape Spencer and Mount Fairweather had been initiated. By that lease the exclusive right of trade and commerce in the *lisière* outside the line mentioned, covering practically the whole territory the boundary of which is in dispute, became vested in the Company which enjoyed a similar monopoly in the territory on the British side of the frontier, wherever it might be, and, as it was a matter of indifference to it whether it derived its rights from its British Charter or its Russian lease, no question as to the true location of the line could arise. The lease, though originally for ten years only, was renewed from time to time and terminated only on the date when Alaska was ceded to the United States.

9. When, subsequently to that cession, the gold discoveries in the Cassiar district of British Columbia, to which the most convenient access lay through the Stikine River traversing the *lisière*, rendered it desirable to locate the boundary to that region, the discussion between the two Governments was entirely confined to the question of a joint survey, an indispensable preliminary to any attempt to fix the boundary, and never touched on the interpretation of the Treaty. Indeed, in the complete absence of topographical information as to the country, it was obviously impossible to discuss that question, and it is tacitly avoided by both sides. Even when later Mr. Secretary Fish threw out the suggestion referred to by Mr. Choate that the points where

the boundary crosses certain rivers might be surveyed with a view to a partial delimitation, he declared that it was doubtful whether Congress would vote the money necessary for the purpose, doubts which were speedily verified by the action of that body, and it can scarcely be a matter of surprise that a suggestion made in such circumstances failed to receive critical examination at the hands of the British or Dominion Governments, and that no attempt was made to initiate a discussion as to the interpretation of the Treaty which, in the absence of a survey, must have been of a purely academic nature.

10. The case of Peter Martin in 1877 to which Mr. Choate refers does not appear to have any bearing on the matter, as it turned on the question of his unauthorized conveyance as a prisoner through United States' territory, and Her Majesty's Government have never questioned the right of the United States' Government to territory at the mouth of the Stikine River, though the question how far inland that territory extends remains in dispute.

11. Mr. Choate made no reference to the correspondence initiated by the late Mr. Bayard in his note to Mr. Phelps of the 20th November, 1885, which has already been mentioned. That note made no claim that the interpretation of the Treaty as regards any particular part of the boundary-line was no longer open, and the Earl of Iddesleigh, in his note to Mr. Phelps of the 27th August, 1883, inclosing copy of the map of the Dominion of Canada, geologically coloured, for which Mr. Phelps had asked, and on which a line was shown separating the lisière from Canadian territory, stated clearly the attitude of Her Majesty's Government in regard to the position of the boundary disputed in the following words:—

“In forwarding to you a copy of the map in question, I have the honour to invite your attention to the fact, that the Alaska boundary-line shown thereon is merely an indication of the occurrence of such a dividing line somewhere in that region. It will, of course, be clearly understood that no weight could attach to the map location of the line now denoted, inasmuch as the Convention between Great Britain and Russia of the 28th February, 1825, which defines the line, making its location depend on alternative circumstances, the occurrence or the non-occurrence, of mountains, and, as is well-known to all concerned, the country has never been topographically surveyed. Her Majesty's Government therefore feel that they are bound distinctly to disavow the recognition of the correctness of the line shown, on the edition of the map in question forwarded herewith, as the boundary-line between the province of British Columbia and Alaska.”

12. The United States' Government took no exception to this declaration, which was followed later by the statement in the Memorandum given to Mr. Bayard by Sir L. Sackville West on the 14th September, 1887, as to the action of Lieutenant Schwatka during his reconnaissance of 1883 in purporting to fix Perrier's Pass at the head of the Lynn Canal as a point on the boundary. It was there stated that “although Her Majesty's Government have agreed in principle to take part in a preliminary investigation of the Alaska boundary question, they are not prepared to admit that the points referred to by Lieutenant Schwatka in any way fix where the line should be drawn. It is not sought to raise any discussion at the present moment in regard to the position of the boundary between Alaska and British Columbia; but in order that it may not be prejudiced hereafter by absence of remark on the points alluded to above, Her Majesty's Government have thought it expedient to call the attention of the United States' Government to the foregoing observations.”

13. Shortly after in the informal discussion of the boundary question between Dr. Dawson on the part of Her Majesty's Government and Dr. Dall on the part of the United States' Government, during the sittings of the Joint High Commission of 1888, the former made it distinctly clear that Her Majesty's Government claimed that the boundary should, in accordance with the terms of the Treaty, be drawn along the summits of the coast range, crossing all narrow waters which were of such width as to be within territorial jurisdiction.

14. When the Conference between the British Delegates and the late Mr. Secretary Blaine was held in February 1892, the views of Her Majesty's Government as to the boundary were fully stated, and it was proposed on the part of the British Representatives “that a reference to some impartial authority be made by Great Britain and the United States for the purpose of ascertaining and deciding finally the true boundary, regard being had to the Treaties relating to the subject and likewise to the case which may be presented by either Government, and to the testimony which may be adduced as to the physical features of that country,” &c.

15. The Representatives of the United States, Mr. Blaine and General Foster,

considered that it was premature to provide for a reference to arbitration until a survey had been made, and the two Governments had had an opportunity of considering and discussing the question in the light of the facts revealed by that survey, and they handed in a proposal which was accepted and embodied with slight verbal amendments in Article I of the Treaty of the 22nd July, 1892. That Article provided for a coincident or joint survey "with a view to the ascertainment of the facts and data necessary to the permanent delimitation of said boundary-line in accordance with the spirit and intent of the existing Treaties in regard to it between Great Britain and Russia and between the United States and Russia," and further, that "The High Contracting Parties agree that, as soon as practicable after the Report or Reports of the Commissions shall have been received, they will proceed to consider and establish the boundary-line in question."

16. It is clear from this that the whole question of the interpretation and application of the Treaty was, by common consent, left over for discussion, after the completion of the survey in the light of the facts which it disclosed, and it might fairly be argued from the express terms of the Convention that both Governments had estopped themselves from contending that the boundary should be run otherwise than in accordance with the "spirit and intent" of the existing Treaties in regard to it between Great Britain and Russia and between the United States and Russia.

17. It is evident in any case that, at any rate, in 1892, neither Government claimed to have any rights in the disputed territory arising out of possession, occupation, or political control. Nor does it appear that any such claims were preferred on the part of the United States until the meetings of the Joint High Commission.

18. The elaborate series of maps on which the results of the joint survey were embodied were not received by Her Majesty's Government until March 1898, but in the meantime Her Majesty's Government, realizing the improbability of a settlement being reached by diplomatic discussion, as contemplated by the Convention of 1892, and the need of an early settlement, owing to the new conditions created by the Yukon gold discoveries, had instructed Sir J. Pouncefote to propose to the United States' Government a reference of the question to three jurists of high standing, one nominated by each of the two Powers, and the third by an independent Power, and that this Commission should proceed at once to delimit the boundary at the heads of the inlets through which the traffic for the Yukon entered, principally at the head of the Lynn Canal.

19. This proposal was made by Sir J. Pouncefote to Mr. Sherman on the 23rd February, and in making it he specifically alluded to the divergence of views revealed by the informal discussion which took place in 1888. On the 2nd March he reported to Lord Salisbury that the United States' Government were anxious for a provisional boundary, the rights of both parties being reserved pending a final settlement, but were unwilling to proceed with a new Convention providing for arbitration until diplomatic discussion had failed to secure a settlement.

20. The proposal for a provisional boundary was made by Sir J. Pouncefote on the 18th April in a Memorandum in which he stated that, "in view of the wide divergence of views existing on the subject of the Alaska-Canadian boundary, the Dominion Government fear that the suggestion to proceed with the demarcation under the Convention of 1892 would lead to no result. They are, however, prepared to agree that a provisional line should be fixed without prejudice to the claims of either party at the watershed of the first summit north of Dyea. Such a provisional boundary would be at a distance of considerably more than 10 leagues from the coast." In answering this Memorandum, on the 9th May, Mr. Day stated: "In consenting to the temporary marking of the boundary-line in the method just indicated, this Government desires it to be distinctly understood, on the part of both Governments, that this arrangement is not to be construed as affecting in any manner rights under existing Treaties for the ultimate consideration and establishment of the boundary-line in question."

21. When, therefore, the Joint High Commission met to discuss the question, it was clearly understood on both sides that the line was to be determined "in accordance with the spirit and intent" of the Treaty, without restriction, the rights of both parties having been fully and distinctly reserved whenever any question of the interpretation or application of the Treaty was discussed, and the fact of such reservation expressly recognized on both sides.

22. It has already been fully explained why no question as to the interpretation of the Treaty was raised by either party until 1885, and that on the first occasion when

the discussion of the matter was approached, Her Majesty's Government gave distinct notice that they entirely disavowed the correctness of the line shown on the maps to which the United States' Government appeal.

23. In view of these facts, Her Majesty's Government are strictly entitled to claim that as a settlement of the question cannot be reached diplomatically, the interpretation of the Treaty and its application to the facts ascertained by the survey should be submitted unreservedly to an impartial tribunal, without any such restrictions as were contained in the Venezuelan Treaty, and in proposing to allow, as provided by that instrument, continuous adverse possession for fifty years, if such can be proved, to override Treaty right, they have made a great concession to the United States.

24. They do not, of course, admit that there has been any such adverse possession, by way either of exercise of jurisdiction or of political control, and if United States' citizens have settled recently at the head of the Lynn Canal, they have done so in the full knowledge, as given in the documents inclosed in President Cleveland's Message to Congress of the 2nd March, 1889, that they were settling in disputed territory, and Her Majesty's Government are unable to see any reason why such settlement should receive further or greater recognition and protection than the United States' Government considered should be accorded to British subjects who had settled in the area in dispute between this country and Venezuela.

25. Mr. Chamberlain does not consider it necessary to discuss in detail each of the various points advanced in Mr. Choate's communication in favour of the United States' interpretation of the Treaty. Facts and arguments of at least equal cogency can be advanced on the other side by Her Majesty's Government, and they are all points which can be submitted to an Arbitration Tribunal under the rules laid down in the Venezuelan Treaty, and unless there are other facts and circumstances upon which the United States' Government rely, but which might be excluded from the consideration of the tribunal by these Rules, Mr. Choate has not, so far as Mr. Chamberlain can see, advanced any reason to warrant Her Majesty's Government in departing from the view expressed in Lord Salisbury's note of the 1st July, that there is nothing in the terms of the Venezuelan Treaty "which is inapplicable, or which would be inconsistent with an equitable solution of the Alaskan controversy."

26. The question immediately under discussion is whether or not the dispute as to the boundary should be referred to arbitration, and Mr. Chamberlain is unable to understand why the length of time during which the rival claims to disputed territory have been matters of controversy should form an element to be taken into consideration in that connection. If it is desirable, on other grounds, to employ the assistance of an impartial tribunal as the best means of terminating the dispute, the length of the period of previous controversy appears to be immaterial.

27. The exercise of rights of sovereignty within the area in dispute by control of the Indian tribes and establishment of administrative machinery therein is, as the United States' Government are aware, one of the principal grounds put forward by Great Britain in support of her right to the territory claimed by Venezuela, and such grounds, if put forward by the United States' Government with reference to the Alaska boundary would, no doubt, be fully considered by a Tribunal of Arbitration, and if found to be established for the period prescribed in the Treaty, might settle the controversy in their favour.

28. But the exercise of such control by the United States until very recently and after due notice of the claim of Her Majesty's Government, is not admitted, and in these circumstances, the fact of its exercise appears to be a reason in favour of, rather than an obstacle to, arbitration.

29. The fact that the starting-point in the present controversy is a Treaty, and, in the dispute with Venezuela, discovery and occupation, cannot constitute any essential difference between the two cases. The rules agreed to by Great Britain and the United States for the guidance of the tribunal were intended to provide for the admission in argument of every ground upon which an equitable claim to disputed territory may be based. As has already been pointed out, it is the Government of the United States that has imported into the present discussion other considerations than that of strict Treaty right, and Mr. Chamberlain cannot believe that on full consideration they will continue to object to these considerations being tested by rules which, with their approval and with the consent of Her Majesty's Government, have been applied to a similar case.

30. If, however, the United States' Government consider that the terms of the Venezuelan Treaty are in any respect inadequate to provide for an equitable settle-

ment of the present controversy, any suggestion which they may have to offer will receive attentive consideration from Her Majesty's Government.

I am, &c.
(Signed) H. BERTRAM COX.

No. 156.

The Marquess of Salisbury to Mr. Tower.

(No. 204. Confidential.)

Sir,

Foreign Office, October 3, 1899.

WITH reference to your despatch No. 255 of the 7th instant, inclosing a copy of a note from Mr. Hay, in which he gives the terms of Agreement proposed by the United States' Government for the provisional boundary between Alaska and the Dominion of Canada, I transmit to you a copy of a letter from the Colonial Office,* forwarding a Memorandum by Sir Louis Davies, and submitting a modified form of Agreement.

The proviso in Mr. Hay's proposal with regard to freedom of access to the valley of Porcupine Creek would render it impossible to draw the provisional line of boundary without practically transferring both banks of the Klehini to the American side, and the text of the Agreement has, therefore, been amended in such a manner as to permit persons proceeding to and from Porcupine Creek to carry with them such goods and articles as they desire without being required to pay any customs duties, whilst the arrangement that the line should follow the high or right bank of the Klehini is retained.

By this means Her Majesty's Government consider that the freedom of passage asked for by the United States' Government is sufficiently assured.

With regard to the alterations in the last paragraph of the Agreement, it may be stated that, as the line is to be provisional, it does not seem necessary to appoint Joint Commissioners for the purpose of erecting appropriate monuments. The officers on either side who may be in the vicinity can be intrusted with the work of erecting such temporary marks as may be deemed requisite.

I should wish you to communicate the modified draft of the Agreement to the United States' Government, with the explanations given above, and to inform Mr. Hay that you are authorized to sign it at once.

I am, &c.
(Signed) SALISBURY.

No. 157.

Mr. Tower to the Marquess of Salisbury.—(Received October 5.)

(No. 273.)

My Lord,

Newport, R.I., September 23, 1899.

I HAVE the honour to report that, upon receipt of your Lordship's telegram No. 100 of the 22nd instant, I have transmitted this day to the Governor-General of Canada copy of Mr. Hay's note of the 6th instant, respecting the provisional Alaska boundary-line.

I have, &c.
(Signed) REGINALD TOWER.

The Marquess of Salisbury to Mr. Tower.

(No. 213.)

Sir,

Foreign Office, October 14, 1899.

IN my despatch No. 182 of the 2nd August I informed you of a communication made to me by the United States' Ambassador, stating the grounds upon which the President felt himself unable to assent to my proposal for the reference of the Alaska Boundary question to Arbitration on the terms adopted in the Treaty of the 2nd February, 1897, between Great Britain and Venezuela.

Mr. Choate said, in conclusion, that he was instructed to express the opinion of the President that it would be wise at this stage of the negotiation to have a comparison of views, and to state that he would be much gratified if I would give my views in return upon the matter presented and communicate the grounds upon which Her Majesty's Government base their opinion that "there is nothing in the Venezuelan Treaty which is inapplicable, or which would be inconsistent with an equitable solution of the Alaska controversy."

I would observe at the outset that there appears to be some misapprehension on the part of the United States' Government as to the nature and scope of the proposal submitted to his Excellency, who has treated it as if it only applied to the determination of the boundary in the neighbourhood of the Lynn Canal, instead of to the whole frontier of the *lisière* of coast defined in the IIIrd and IVth Articles of the Treaty of 1825.

No doubt it is in regard to that part of the boundary that the widest divergence of views has arisen between the two Governments, but it only needs a reference to the maps which purport to mark the boundary as claimed by the respective Governments to show that the difference is by no means confined to the region of the Lynn Canal, but extends throughout the whole length of the strip from Portland Channel to Mount St. Elias.

The events of the last two or three years arising out of the Yukon gold discoveries have given exceptional prominence and importance to that part of the boundary, but it will hardly be maintained that prior to these events there was any reason why, while the whole line was undetermined, and its settlement was not regarded on either side as a matter of pressing importance, special attention should have been devoted by Her Majesty's Government to that particular region.

It is necessary to bear this in mind in considering the various reasons put forward by the United States' Government, on account of which they claim to distinguish the present dispute from that recently discussed before the Tribunal of Arbitration at Paris.

The general effect of the United States' contention is that the claim put forward by Her Majesty's Government that the boundary-line should cross the Lynn Canal in the neighbourhood of Berner's Bay, following the general line of the coast range of mountains indicated by the Treaty as the position of the boundary, is a new one first put forward after the Joint High Commission had been created, and that before then Her Majesty's Government had made no claim to the head waters of the canal, or any protest against various acts on the part of Russia and the United States inconsistent with that claim, and that the United States' Government are therefore justified in refusing to allow the question of the possession of these waters to be adjudicated upon by an independent tribunal.

I wish to point out in the first place that there has been but little discussion of the boundary question between the two Governments, but whenever it has been referred to it has been on the admitted basis that the whole line was undetermined, and that the interpretation of the boundary Articles of the Treaty was entirely an open question as to which each Government was free to urge its own views.

This was the view accepted by President Grant in his Annual Message to Congress of the 2nd December, 1872, and by the late Secretary Bayard in his despatch to Mr. Phelps of the 20th November, 1888, and, as was pointed out in that despatch, no question concerning the true location of the line stipulated in the Treaty had ever arisen between Great Britain and Russia prior to the cession of Alaska to the United States. The only value of the region during that period lay in the fur trade, and during the first ten years after 1825 that trade was thrown open on equal terms to the subjects and citizens of Great Britain, Russia, and the United States by Article VII of the Treaty between Great Britain and Russia of 1825, and Article IV of the

Treaty of 1824 between the United States and Russia, and before the expiry of the ten years the negotiations between the Hudson's Bay Company and the Russian American Company which resulted in the lease to the former of the trade of the whole of the *lisière* southward and eastward of a line joining Cape Spencer and Mount Fairweather had been initiated. By that lease the exclusive right of trade and commerce in the *lisière* outside the line mentioned, covering practically the whole territory the boundary of which is in dispute, became vested in the Company which enjoyed a similar monopoly in the territory on the British side of the frontier, wherever it might be, and, as it was a matter of indifference to it whether it derived its rights from its British Charter or its Russian lease, no question as to the true location of the line could arise. The lease, though originally for ten years only, was renewed from time to time and terminated only on the date when Alaska was ceded to the United States.

When, subsequently to that cession, the gold discoveries in the Cassiar district of British Columbia, to which the most convenient access lay through the Stikine River traversing the *lisière*, rendered it desirable to locate the boundary in that region, the discussion between the two Governments was entirely confined to the question of a joint survey, an indispensable preliminary to any attempt to fix the boundary, and never touched on the interpretation of the Treaty. Indeed, in the complete absence of topographical information as to the country, it was obviously impossible to discuss that question, and it was tacitly avoided by both sides. Even when later Mr. Secretary Fish threw out the suggestion referred to by Mr. Choate that the points where the boundary crosses certain rivers might be surveyed with a view to a partial delimitation, he declared that it was doubtful whether Congress would vote the money necessary for the purpose, doubts which were speedily verified by the action of that body, and it can scarcely be a matter of surprise that a suggestion made in such circumstances failed to receive critical examination at the hands of the British or Dominion Governments, and that no attempt was made to initiate a discussion as to the interpretation of the Treaty which, in the absence of a survey, must have been of a purely academic nature.

The case of Peter Martin in 1877, to which Mr. Choate also refers, does not appear to have any bearing on the matter, as it turned on the question of his unauthorized conveyance as a prisoner through United States' territory, and Her Majesty's Government have never questioned the right of the United States' Government to territory at the mouth of the Stikine River, though the question how far inland that territory extends remains in dispute.

Mr. Choate made no reference to the correspondence initiated by the late Mr. Bayard in his note to Mr. Phelps of the 20th November, 1885, which has already been mentioned. That note made no claim that the interpretation of the Treaty as regards any particular part of the boundary-line was no longer open, and the Earl of Iddesleigh, in his note to Mr. Phelps of the 27th August, 1886, inclosing copy of the map of the Dominion of Canada, geologically coloured, for which Mr. Phelps had asked, and on which a line was shown separating the *lisière* from Canadian territory, stated clearly the attitude of Her Majesty's Government in regard to the position of the disputed boundary in the following words:—

"In forwarding to you a copy of the map in question, I have the honour to invite your attention to the fact that the Alaska boundary-line shown thereon is merely an indication of the occurrence of such a dividing line somewhere in that region. It will, of course, be readily understood that no weight could attach to the map location of the line now noticed, inasmuch as the Convention between Great Britain and Russia of the 28th February, 1825, which defines the line, makes its location depend on alternative circumstances, the occurrence or the non-occurrence, of mountains, and, as is well known to all concerned, the country has never been topographically surveyed. Her Majesty's Government therefore feel that they are bound distinctly to disavow the recognition of the correctness of the line shown, on the edition of the map in question forwarded herewith, as the boundary-line between the Province of British Columbia and Alaska."

The United States' Government took no exception to this declaration, which was followed later by the statement in the Memorandum given to Mr. Bayard by Sir L. Sackville West on the 14th September, 1887, as to the action of Lieutenant Schwatka during his reconnaissance of 1883 in purporting to fix Perrier's Pass at the head of the Lynn Canal as a point on the boundary. It was there stated that "although Her Majesty's Government have agreed in principle to take part in a preliminary investigation of the Alaska boundary question, they are not prepared to

admit that the points referred to by Lieutenant Schwatka in any way fix where the line should be drawn. It is not sought to raise any discussion at the present moment in regard to the position of the boundary between Alaska and British Columbia; but in order that it may not be prejudiced hereafter by absence of remark on the points alluded to above, Her Majesty's Government have thought it expedient to call the attention of the United States' Government to the foregoing observations."

Shortly after in the informal discussion of the boundary question between Dr. Dawson on the part of Her Majesty's Government and Dr. Dall on the part of the United States' Government, during the sittings of the Joint High Commission of 1888, the former made it distinctly clear that Her Majesty's Government claimed that the boundary should, in accordance with the terms of the Treaty, be drawn along the summits of the coast range, crossing all narrow waters which were of such width as to be within territorial jurisdiction.

When the Conference between the British Delegates and the late Mr. Secretary Blaine was held in February 1892, the views of Her Majesty's Government as to the boundary were fully stated, and it was proposed on the part of the British Representatives "that a reference to some impartial authority be made by Great Britain and the United States for the purpose of ascertaining and deciding finally the true boundary, regard being had to the Treaties relating to the subject and likewise to the case which may be presented by either Government, and to the testimony which may be adduced as to the physical features of that country," &c.

The Representatives of the United States, Mr. Blaine and General Foster, considered that it was premature to provide for a reference to arbitration until a survey had been made, and the two Governments had had an opportunity of considering and discussing the question in the light of the facts revealed by that survey, and they handed in a proposal which was accepted and embodied with slight verbal amendments in Article I of the Treaty of the 22nd July, 1892. That Article provided for a coincident or joint survey "with a view to the ascertainment of the facts and data necessary to the permanent delimitation of said boundary-line in accordance with the spirit and intent of the existing Treaties in regard to it between Great Britain and Russia and between the United States and Russia," and further, that "The High Contracting Parties agree that, as soon as practicable after the Report or Reports of the Commissions shall have been received, they will proceed to consider and establish the boundary-line in question."

It is clear from this that the whole question of the interpretation and application of the Treaty was, by common consent, left over for discussion, after the completion of the survey in the light of the facts which it disclosed, and it might fairly be argued from the express terms of the Convention that both Governments had estopped themselves from contending that the boundary should be run otherwise than in accordance with the "spirit and intent" of the existing Treaties in regard to it between Great Britain and Russia and between the United States and Russia.

It is evident in any case that, at any rate, in 1892, neither Government claimed to have any rights in the disputed territory arising out of possession, occupation, or political control. Nor does it appear that any such claims were preferred on the part of the United States until the meetings of the Joint High Commission.

The elaborate series of maps on which the results of the joint survey were embodied were not received by Her Majesty's Government until March 1898, but in the meantime Her Majesty's Government, realizing the improbability of a settlement being reached by diplomatic discussion, as contemplated by the Convention of 1892, and the need of an early settlement, owing to the new conditions created by the Yukon gold discoveries, had instructed Sir J. Pauncefote to propose to the United States' Government a reference of the question to three jurists of high standing, one nominated by each of the two Powers, and the third by an independent Power, and that this Commission should proceed at once to delimit the boundary at the heads of the inlets through which the traffic for the Yukon entered, principally at the head of the Lynn Canal.

This proposal was made by Sir J. Pauncefote to Mr. Sherman on the 23rd February, 1898, and in making it he specifically alluded to the divergence of views revealed by the informal discussion which took place in 1888. On the 2nd March he reported to me that the United States' Government were anxious for a provisional boundary, the rights of both parties being reserved pending a final settlement, but were unwilling to proceed with a new Convention providing for arbitration until diplomatic discussion had failed to secure a settlement.

A proposal for a provisional boundary was made by Sir J. Pauncefote on the 18th April in a Memorandum in which he stated that, "in view of the wide divergence of views existing on the subject of the Alaska-Canadian boundary, the Dominion Government fear that the suggestion to proceed with the demarcation under the Convention of 1892 would lead to no result. They are, however, prepared to agree that a provisional line should be fixed without prejudice to the claims of either party at the watershed of the first summit north of Dyca. Such a provisional boundary would be at a distance of considerably more than 10 leagues from the coast." In answering this Memorandum, on the 9th May, Mr. Day stated: "In consenting to the temporary marking of the boundary-line in the method just indicated, this Government desires it to be distinctly understood, on the part of both Governments, that this arrangement is not to be construed as affecting in any manner rights under existing Treaties for the ultimate consideration and establishment of the boundary-line in question."

When, therefore, the Joint High Commission met in August 1898 to discuss the question, it was clearly understood on both sides that the line was to be determined "in accordance with the spirit and intent" of the Treaty, without restriction, the rights of both parties having been fully and distinctly reserved whenever any question of the interpretation or application of the Treaty was discussed, and the fact of such reservation expressly recognized on both sides.

It has already been fully explained why no question as to the interpretation of the Treaty was raised by either party until 1885, and that on the first occasion when the discussion of the matter was approached, Her Majesty's Government gave distinct notice that they entirely disavowed the correctness of the line shown on the maps to which the United States' Government appealed.

In view of these facts, Her Majesty's Government are fairly entitled to claim that as a settlement of the question cannot be reached diplomatically, the interpretation of the Treaty and its application to the facts ascertained by the survey should be submitted unreservedly to an impartial tribunal, without any such restrictions as were contained in the Venezuelan Treaty, and in proposing to allow, as provided by that instrument, continuous adverse possession for fifty years, if such can be proved, to override Treaty right, they have made a distinct concession to the United States.

They do not, of course, admit that there has been any such adverse possession, by way either of exercise of jurisdiction or of political control, and if the United States' citizens have settled recently at the head of the Lynn Canal, they have done so in the full knowledge, as given in the documents inclosed in President Cleveland's Message to Congress of the 2nd March, 1889, that they were settling in disputed territory, and Her Majesty's Government are unable to see any reason why such settlement should receive further or greater recognition and protection than the United States' Government considered should be accorded to British subjects who had settled in the area in dispute between this country and Venezuela.

It is not necessary to discuss in detail each of the various points advanced in Mr. Choate's communication in favour of the United States' interpretation of the Treaty. Facts and arguments of equal cogency can be advanced on the other side by Her Majesty's Government, and they are all points which can be submitted to an Arbitration Tribunal under the Rules laid down in the Venezuelan Treaty, and unless there are other facts and circumstances upon which the United States' Government rely, but which might be excluded from the consideration of the Tribunal by these Rules, Mr. Choate has not, so far as can be seen, advanced any reason to warrant Her Majesty's Government in departing from the view expressed in my note of the 1st July, that there is nothing in the terms of the Venezuelan Treaty "which is inapplicable or which would be inconsistent with an equitable solution of the Alaskan controversy."

The question immediately under discussion is whether or not the dispute as to the boundary should be referred to arbitration, and it is difficult to understand why the length of time during which the rival claims to disputed territory have been matters of controversy should form an element to be taken into consideration in that connection. If it be desirable, on other grounds, to employ the assistance of an impartial tribunal as the best means of terminating the dispute, the length of the period of previous controversy appears to be immaterial.

The exercise of the rights of sovereignty within the area in dispute by control of the Indian tribes and establishment of administrative machinery therein was, as the United States' Government are aware, one of the principal grounds put forward by Great Britain in support of her right to the territory claimed by Venezuela, and such

grounds, if put forward by the United States' Government with reference to the Alaska boundary would, no doubt, be fully considered by a Tribunal of Arbitration, and if found to be established for the period prescribed in the Treaty, might settle the controversy in their favour.

But it is not admitted that such control was exercised by the United States until very recently and after due notice of the claim of Her Majesty's Government, and in these circumstances, the fact of its exercise appears to be a reason in favour of, rather than an obstacle to, arbitration.

The fact that the starting-point in the present controversy is a Treaty, and that, in the dispute with Venezuela, the claims on either side were based on discovery and occupation, cannot, in the opinion of Her Majesty's Government, constitute any essential difference between the two cases. The Rules agreed to by Great Britain and the United States for the guidance of the Tribunal were intended to provide for the admission in argument of every ground upon which an equitable claim to disputed territory may be based. As has already been pointed out, it is the Government of the United States who have imported into the present discussion other considerations than that of strict Treaty right, and I trust that on full consideration they will not continue to object to these considerations being tested by Rules which, with their approval and with the consent of Her Majesty's Government, have been applied to a similar case.

If, however, the United States' Government still consider that the terms of the Venezuelan Treaty are in any respect inadequate to provide for an equitable settlement of the present controversy, such suggestions as they have to offer will receive attentive consideration from Her Majesty's Government.

You are authorized to read this despatch to Mr. Hay, and to leave a copy of it with him if he should so desire.

I am, &c.
(Signed) SALISBURY.

No. 159.

Mr. Tower to the Marquess of Salisbury.--(Received October 18.)

(No. 68.)

(Telegraphic.) P.

Washington, October 18, 1899.

WITH reference to your despatch No. 204 of the 3rd October, all the modifications which your Lordship proposes are accepted by the Secretary of State. Mr. Hay suggests exchanging notes, so that the Agreement may come into force at once.

Am I authorized to alter the first line of draft Agreement so as to run "It is hereby agreed," and to insert a clause in my note to the effect that the Agreement is understood to become binding from the date of my note accepting it?

No. 160.

The Marquess of Salisbury to Mr. Tower.

(No. 103.)

(Telegraphic.) P.

Foreign Office, October 19, 1899.

REFERRING to your telegram No. 68 of the 18th instant, you are authorized to make the alteration you propose in the first line of the Provisional Agreement in regard to the Alaska boundary in the region of the Lynn Canal. After the words "provisionally fixed" the words "as follows" should be inserted.

A colon should be substituted for a full stop after "adjustment of the international boundary," and you should place a comma and hyphen after "north of Klukwan" instead of a semicolon, but do not delay the signature on account of these changes.

You are also authorized to insert in your note a clause to the effect that the Agreement shall come into force from the date when the notes are exchanged.

No. 161.

Foreign Office to Colonial Office.

Sir,

Foreign Office, October 19, 1899.

WITH reference to Mr. Tower's telegram No. 68 of yesterday, of which a copy has been communicated to your Department, I am directed by the Marquess of Salisbury to transmit to you the draft of a telegram which his Lordship proposes to address to him,* suggesting some further verbal amendments in the arrangement for a provisional boundary with Alaska, but stating that these changes should not delay the signature of the Agreement.

I am to ask whether Mr. Secretary Chamberlain concurs in the terms of the proposed instruction.

I am, &c.
(Signed) F. H. VILLIERS.

No. 162.

Mr. Tower to the Marquess of Salisbury.—(Received October 20.)

(No. 69.)

(Telegraphic.) P.

Washington, October 20, 1899.

WITH reference to your Lordship's despatch No. 204 of the 3rd instant, I have the honour to report that the notes respecting the provisional Alaska boundary-line were exchanged to-day, and that copies will be sent to your Lordship and Lord Minto by post.

No. 163.

Colonial Office to Foreign Office.—(Received October 23.)

Sir,

Downing Street, October 19, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of this day's date, inclosing draft of a telegram which the Marquess of Salisbury proposes to address to Her Majesty's Chargé d'Affaires at Washington with regard to the signature of the Agreement with the United States' Government for the establishment of a provisional boundary in the region of the Lynn Canal.

2. Mr. Chamberlain will be glad if you will inform Lord Salisbury that he concurs in the terms of the proposed telegram.

I am, &c.
(Signed) H. BERTRAM COX.

No. 164.

Question asked in the House of Commons, October 24, 1899.

Mr. Hogan,—To ask the Under-Secretary of State for Foreign Affairs whether any agreement has yet been arrived at with the Government of the United States in connection with the Alaskan boundary.

Answer.

Yes; an agreement for a provisional boundary between Canada and Alaska in the neighbourhood of the Lynn Canal has been arrived at with the Government of the United States, and its text will be laid on the Table of the House so soon as the terms of the notes recording it have been received from Washington.

* No. 160.

No. 165.

Colonial Office to Foreign Office.—(Received October 26.)

(Secret and Confidential.)

Sir,

Downing Street, October 25, 1899.

AS the Marquess of Salisbury is aware, the Delegate appointed by the Canadian Government to discuss the Alaska boundary question with Her Majesty's Government has now left to return to Canada.

2. Mr. Chamberlain thinks it desirable that the Dominion Government in considering their Delegate's report should have before them a formal expression of the views held by Her Majesty's Government with regard to the present position of the question. He proposes, therefore, to address to the Governor-General the despatch of which a draft is inclosed, and he will be glad to learn at an early date whether Lord Salisbury concurs in the terms of the draft.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure 1 in No. 165.

Draft of Despatch from Mr. Chamberlain to Governor-General the Earl of Minto.

(Very Confidential.)

My Lord,

Downing Street, October , 1899.

I HAVE the honour to acquaint you, for the information of your Ministers, that Her Majesty's Government have had under their consideration the present position of the Alaska boundary question.

They have had the advantage of conferring on the subject with Sir Louis Davies, who has furnished a full statement of the case of your Ministers for the interpretation of the boundary Articles of the Treaty which is maintained by Canada.

I need scarcely say that Her Majesty's Government share the views of your Ministers as to the interpretation of the Treaty of 1825 and have, as you are already aware, been urging the United States' Government to agree to the reference of the dispute to a Tribunal of Arbitration on the lines adopted in the case of the boundary dispute between this country and Venezuela, but hitherto without success.

The main difficulty arises from the position of the two towns of Dyea and Skagway at the head of the Lynn Channel. The United States' Government maintain that these towns were established by them on what they had every reason to believe was undoubtedly American soil, that they were so established largely in the interests of, and for the convenience of, Canadian trade, that no protest or objection was made by Her Majesty's Government on behalf of Canada against their action in this matter, and that until the meeting of the Joint High Commission they had no reason to believe that any claim on the part of the Dominion to the head-waters of the channel was seriously entertained.

I do not propose now to examine how far these statements are warranted; but there can be no doubt that the United States' Government are convinced of their validity, and consequently refuse to entertain any proposals for an arbitration which would place the position of these towns in question; and though the discussion is still proceeding, it is improbable that they will modify their attitude on this point.

They are so far justified in differentiating the present dispute from that with Venezuela, in that in the controversy on the latter case extending over a long period the claims of Venezuela had been repeatedly and distinctly formulated and supported by continual protests against the alleged aggressions of Great Britain. In the case of the Alaskan boundary, on the other hand, there was no discussion until comparatively recent years, and though both Her Majesty's Government and the Dominion Government were aware that the United States believed and claimed that the Treaty intended the boundary to go round the Lynn Channel, and the Canadian Government had in 1888 suggested that a protest should be made against the United States' claim, the language in which the protest was conveyed to that Government by Her Majesty's Minister was not sufficiently precise, and the claim was never formally and directly challenged in express terms; moreover, the action of your Ministers in establishing their Customs

station on the eastern side of the mountains bordering the channel without any formal notice to the United States that the head-waters of the channel were claimed by the Dominion would naturally be construed as an acquiescence in the United States' claim. There was, again, in the case of the Venezuela boundary, no question involved of a possible transfer of jurisdiction over organized towns or settlements of the size and population of Dyea and Skagway, and there does not appear to be any previous case of a boundary dispute in which the possession of towns or settlements of such importance was in question. This fact, and the absence of any explicit statement of claim by Her Majesty's Government at the time when those towns were being formed to the territory upon which they are situated, render it improbable that any Tribunal with the discretion allowed by section (c) of the Rules applied in the Venezuelan dispute would, even if satisfied that the territory in question belonged of right to Her Majesty, decree that it should be surrendered by the United States, and if they were to do so, it is unlikely, looking to the nature and extent of the interests involved, that those immediately concerned would submit peaceably to such an arrangement.

Looking, therefore, at the situation in all its aspects, Her Majesty's Government are convinced that, even if the boundary question were submitted to arbitration on terms exactly similar to those of the Venezuelan Case, the United States' possession of Dyea and Skagway would not be disturbed.

In these circumstances, the only question really remaining to be decided, so far as the Lynn Canal region is concerned, is that of the Valley of the Chilkat, along which, by the Dalton Trail and Pyramid Harbour, access can be gained to the interior, and the compensation, if any, to be given in the event of the British interpretation being accepted for the occupation of the Taiya inlet by the United States; and Her Majesty's Government, as matters stand, entertain considerable doubt as to the expediency of continuing to press for arbitration on terms which would appear to raise doubt as to the position of Dyea and Skagway, seeing that the facts above mentioned appear to them already to have practically disposed of this question.

It is impossible to avoid the conviction that to do so would have the result of indefinitely postponing a settlement, and most probably of throwing away whatever chance there may be of securing Pyramid Harbour and the Chilkat Valley for Canada.

The provisional line agreed to places the whole of the shores of the Lynn Canal in the possession of the United States. Parts of the country along the Dalton Trail have already proved rich in placer gold, and with prospectors steadily at work throughout further discoveries may be announced at any time, the result of which would be the formation of an United States' Settlement at Pyramid Harbour as large as at Skagway, which it would be equally impracticable to disturb. The whole of the rest of the *lisière* is also undefined, and so long as it remains so, and the United States claim on the one hand the full breadth of 10 marine leagues throughout its length, while Her Majesty's Government maintain that the boundary should be drawn along the mountain summits generally at less than half that distance from the coast, there will be within this disputed area ample opportunity for encroachment, and for a possible conflict of jurisdiction.

The claim of the United States, moreover, to the islands commanding the entrance to Observatory Inlet, a claim which, however unfounded it may be, is not likely to be withdrawn except on the result of arbitration, seriously affects the military security of the only practical route alternative to the Lynn Canal by which Canada can secure an all-British communication with the Yukon territories.

If, therefore, no settlement is reached, not only will Canada lose any chance of securing a lodgment on the Lynn Canal affording access to the Hinterland, but the value of the route by Observatory Inlet will be impaired, and the Dominion will remain exposed to the loss of what may be valuable territory all along the *lisière*, and to the risks of conflict of jurisdiction attending an unsettled boundary, risks which are much more probable now that the whole area is being actively explored for gold.

There is the further consideration that until an arrangement has been reached in regard to the boundary, no settlement can be made of the numerous other questions at issue between the United States and Canada. In ordinary circumstances these questions do not, it is true, give rise to any serious difficulty, but in times of popular excitement, or in the event of any untoward circumstances leading to a temporary strain of the friendly relations now happily subsisting between this country and the United States, an incident might arise in connection with any of these outstanding matters which would lend itself to exaggeration and open up the possibility of serious misunderstanding.

These considerations have forced Her Majesty's Government to the conclusion that it would be desirable, in the best interests of Canada and the Empire, to meet the objections of the United States to arbitration on the boundary dispute by offering to agree to an addition to the Rules adopted by the Venezuelan Treaty, on the lines of the inclosed draft which was submitted to Sir L. Davies, but was not regarded by him as acceptable to Canada.

In such a matter Her Majesty's Government, of course, recognize that the decision must rest with your Ministers, who are responsible to the people of Canada for the protection of the interests of the Dominion, and while they have thought it necessary to place their views on record, they have no desire to force them upon your Government, and will continue to use every effort to reach a settlement acceptable to the Government and people of the Dominion.

I have, &c.

Inclosure 2 in No. 165.

Draft of Addition to Rules.

WHERE such occupation by the subjects or citizens of either Party in the territory of the other has been so extensive as to form a distinct settlement or town, and provision has been made prior to March 1898, by or under the laws and authority of the Government whose subjects or citizens they are, for municipal or other local government, and for the administration of justice, police, and revenue within such settlement or town, the Arbitrators shall define and mark out reasonable limits for such town or settlement, and shall leave it within the jurisdiction of the Party which has provided for its administration as aforesaid, and shall, in the delimitation of the remainder of the boundary, award to the other Party equitable compensation for the loss of the territory covered by such town or settlement.

No. 166.

Mr. Tower to the Marquess of Salisbury.—(Received October 27.)

(No. 71.)

(Telegraphic.) P.

Washington, October 27, 1899.

THE United States' Secretary of State has asked me when Her Majesty's Government will be prepared to take up the matter of the officers who are to be sent to delimit the boundary between Alaska and Canada about the head of Lynn Canal, under the terms of the Agreement signed on the 20th instant.

No. 167.

Mr. Tower to the Marquess of Salisbury.—(Received October 28.)

(No. 295.)

My Lord,

Washington, October 20, 1899.

WITH reference to your Lordship's despatch No. 204, Confidential, of the 3rd instant, and telegram No. 103 of the 19th, relative to the Agreement for a provisional boundary between the territory of Alaska and the Dominion of Canada in the region about the head of the Lynn Canal, I have the honour to report that Mr. Hay and I have this day exchanged notes, stating the text of Agreement to be observed by the two Governments.

In compliance with your Lordship's instructions, contained in telegram No. 103 I have inserted the words "as follows" after the words "provisionally fixed," and have made the alterations in punctuation as directed.

The only changes from the text inclosed in your Lordship's despatch No. 204 are as follows:—

After the words "thence running to the Klehini" we have inserted the words "(or Klahela)" before "River," the latter being the spelling adopted by the United States.

Three lines lower down, after the words "high or right bank of the" we have inserted the word "said" before "Khehini River."

Lastly, after the words "Chilkat River marked on the aforesaid" we have inserted the words "Map No. 10 of the United States' Commission with the number 5410, and on the Map No. 17 of the aforesaid British Commission with the number before '5490.'"

These alterations were all made at Mr. Hay's request; and, as they do not in any way constitute the slightest change of meaning, I have ventured to comply with his suggestions.

The reference to the United States' Map in the third change is necessary, inasmuch as the peak is marked thereon with a different attitude to that given on the British Map.

I inclose herewith copies of the notes which we have this day exchanged, and have forwarded copies of the same to the Governor-General of Canada.

I have, &c.
(Signed) REGINALD TOWER.

Inclosure 1 in No. 167.

Mr. Hay to Mr. Tower.

Sir,

Department of State, Washington, October 20, 1899.

YOUR note of the 13th instant was duly received, in which you submit to me, under instructions from the Marquess of Salisbury, a modified form of Agreement relative to a provisional boundary between the territory of Alaska and the Dominion of Canada in the region about the head of Lynn Canal.

I have given careful consideration to the modifications indicated in your note and am prepared, on the part of the Government of the United States, to accept the same as a provisional Agreement respecting the boundary in the localities stated. In examining the text of the proposed Agreement, inclosed in your note of the 13th instant, I have, however, noted some verbal changes which it seems desirable should be made, and which in nowise affect the terms of the Agreement. I therefore submit the following as the text of Agreement to be observed by the two Governments:—

"It is hereby agreed between the Governments of the United States and of Great Britain that the boundary-line between Canada and the territory of Alaska in the region about the head of Lynn Canal shall be provisionally fixed as follows, without prejudice to the claims of either Party in the permanent adjustment of the international boundary:—

"In the region of the Dalton Trail, a line beginning at the Peak West of Porcupine Creek, marked on the Map No. 10 of the United States' Commission, the 31st December, 1895, and on sheet No 18 of the British Commission, the 31st December, 1895, with the number 6500; thence waning to the Klehini (or Klahela) River, in the direction of the Peak north of that river, marked 5020 on the aforesaid United States' Map, and 5025 on the aforesaid British Map; thence following the high or right bank of the said Klehini River to the junction thereof with the Chilkat River, a mile and a-half, more or less, north of Klukwan—provided that persons proceeding to or from Porcupine Creek shall be freely permitted to follow the trail between the said creek and the said junction of the rivers, into and across the territory on the Canadian side of the temporary line wherever the trail crosses to such side, and, subject to such reasonable Regulations for the protection of the revenue as the Canadian Government may prescribe, to carry with them over such part or parts of the trail between the said points as may lie on the Canadian side of the temporary line, such goods and articles as they desire, without being required to pay any customs duties on such goods and articles; and from said junction to the summit of the peak east of the Chilkat River, marked on the aforesaid Map No. 10 of the United States' Commission with the number 5410, and on the Map No 17 of the aforesaid British Commission with the number 5490.

"On the Dyea and Skagway Trails, the summits of the Chilkoot and White Passes.

"It is understood, as formerly set forth in communications of the Department of State of the United States, that the citizens or subjects of either Power, found by this

arrangement within the temporary jurisdiction of the other, shall suffer no diminution of the rights and privileges which they now enjoy.

“The Government of the United States will at once appoint an officer or officers in conjunction with an officer or officers to be named by the Government of Her Britannic Majesty, to mark the temporary line agreed upon by the erection of posts, stakes, or other appropriate temporary marks.”

It shall be understood that the foregoing Agreement is binding upon the two Governments from the date of your written acceptance of its terms.

I have, &c.

(Signed) JOHN HAY.

Inclosure 2 in No. 167.

Mr. Tower to Mr. Hay.

Sir,

Washington, October 20, 1899.

I HAVE the honour to acknowledge the receipt of your note of the 20th instant, submitting the following as the text of the Agreement to be observed by the two Governments as a provisional boundary between the territory of Alaska and the Dominion of Canada in the region about the head of Lynn Canal:—

“It is hereby agreed between the Governments of the United States and of Great Britain that the boundary-line between Canada and the Territory of Alaska in the region about the head of Lynn Canal shall be provisionally fixed as follows, without prejudice to the claims of either party in the permanent adjustment of the international boundary.

“In the region of the Dalton Trail, a line beginning at the peak west of Porcupine Creek, marked on the Map No. 10 of the United States’ Commission, of the 31st December, 1895, and on sheet No. 18 of the British Commission of the 31st December, 1895, with the number 6500; thence running to the Klehini (or Klahela) River in the direction of the peak north of that river, marked 5020 on the aforesaid United States’ Map and 5025 on the aforesaid British Map; thence following the high or right bank of the said Klehini River to the junction thereof with the Chilkat River, a mile a-half, more or less, north of Klukwan,—provided that persons proceeding to or from Porcupine Creek shall be freely permitted to follow the trail between the said creek and the said junction of the rivers, into and across the territory on the Canadian side of the temporary line wherever the trail crosses to such line, and, subject to such reasonable Regulations for the protection of the revenue as the Canadian Government may prescribe, to carry with them over such part or parts of the trail between the said points as may lie on the Canadian side of the temporary line, such goods and articles as they desire, without being required to pay any customs duties on such goods and articles; and from said junction to the summit of the peak east of the Chilkat River, marked on the aforesaid Map No. 10 of the United States’ Commission with the number 5410 and on the Map No. 17 of the aforesaid British Commission with the number 5490.

“On the Dyea and Skagway Trails, the summits of the Chilkoot and White Passes.

“It is understood, as formerly set forth in communications of the Department of State of the United States, that the citizens or subjects of either Power, found by this arrangement within the temporary jurisdiction of the other, shall suffer no diminution of the rights and privileges which they now enjoy.

“The Government of the United States will at once appoint an officer or officers in conjunction with an officer or officers to be named by the Government of Her Britannic Majesty, to mark a temporary line agreed upon by the erection of posts, stakes, or other appropriate temporary marks.”

It shall be understood that the foregoing Agreement is binding upon the two Governments from the date of this, my written acceptance of its terms.

I have, &c.

(Signed) REGINALD TOWER.

No. 168.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, October 28, 1899.

WITH reference to my letter of the 20th instant and to previous correspondence in regard to the provisional boundary with Alaska, I am directed by the Marquess of Salisbury to transmit to you a telegram from Her Majesty's Chargé d'Affaires at Washington,* stating that the United States' Secretary of State has inquired as to the selection of officers to delimit the boundary.

I am to ask what answer should, in Mr. Secretary Chamberlain's opinion, be returned to the Secretary of State's inquiry.

I am, &c.

(Signed) FRANCIS BERTIE.

No. 169.

Foreign Office to Colonial Office.

(Secret.)

Sir,

Foreign Office, October 30, 1899.

I LAID before the Marquess of Salisbury your letter of the 25th instant, inclosing the draft of a despatch which Mr. Secretary Chamberlain proposes to address to the Governor-General of Canada, expressing the views of Her Majesty's Government on the question of the Alaska boundary, and I am directed by his Lordship to state that he concurs in the terms of the proposed despatch.

I am, &c.

(Signed) FRANCIS BERTIE.

No. 170.

Foreign Office to Colonial Office.

Sir,

Foreign Office, November 1, 1899.

WITH reference to my letter of the 28th ultimo, inclosing a copy of a despatch from Mr. Tower in which he forwarded the notes exchanged with Mr. Hay respecting the Alaska provisional boundary, I am directed by the Marquess of Salisbury to transmit to you the draft of a despatch which his Lordship proposes to address to Mr. Tower,† approving the terms of his note to Mr. Hay, and the minor alterations which were inserted in the Agreement at Mr. Hay's request.

I am to inquire whether Mr. Secretary Chamberlain concurs in the inclosed draft.

I am, &c.

(Signed) FRANCIS BERTIE.

No. 171.

Colonial Office to Foreign Office.—(Received November 2.)

Sir,

Downing Street, November 1, 1899.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 28th October, a copy of a telegram to the Earl of Minto on the subject of the selection of officers to demarcate the provisional boundary between Canada and Alaska.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure in No. 171.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Telegraphic.)

Downing Street, October 30, 1899.

ALASKA Provisional Agreement.

Please inform your Ministers that Her Majesty's Government would be glad to know as soon as possible name of officer or officers whom they desire to be selected for purpose of demarcation of boundary.

No. 172.

Colonial Office to Foreign Office.—(Received November 3.)

Sir,

Downing Street, November 2, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 1st instant, inclosing draft of a despatch which the Marquess of Salisbury proposes to address to Her Majesty's Chargé d'Affaires at Washington, expressing approval of the terms of his note to Mr. Hay accepting the Alaska Boundary Provisional Agreement, with the minor alterations which were inserted in the Agreement at Mr. Hay's request.

2. I am to state, for Lord Salisbury's information, that Mr. Chamberlain concurs in the terms of the draft despatch.

I am, &c.
(Signed) H. BERTRAM COX.

No. 173.

The Marquess of Salisbury to Mr. Tower.

(No. 224.)

Sir,

Foreign Office, November 3, 1899.

I HAVE received your despatch No. 295 of the 20th ultimo, inclosing copies of the notes which you exchanged with the Secretary of State of the United States, comprising the text of the Agreement with regard to the provisional boundary between Canada and Alaska.

I approve the terms of your note to Mr. Hay, and the minor alterations which you consented to insert in the Agreement at his request.

I am, &c.
(Signed) SALISBURY.

No. 174.

Mr. Tower to the Marquess of Salisbury.—(Received November 6.)

(No. 303.)

My Lord,

Washington, October 27, 1899.

WITH reference to my despatch No. 295 of the 20th instant, I have the honour to transmit herewith printed copies of a *modus vivendi* between Great Britain and the United States, fixing a provisional boundary between the territory of Alaska and the Dominion of Canada about the head of the Lynn Canal; also copies of a reduced map of the described locality, showing the points and lines specified in the Agreement.

I have forwarded to the Governor-General of Canada copies of the above.

I have, &c.
(Signed) REGINALD TOWER.

Inclosure 1 in No. 174.

GREAT BRITAIN—ALASKAN BOUNDARY.

“Modus vivendi” between the United States of America and the United Kingdom of Great Britain and Ireland, fixing a provisional Boundary Line between the Territory of Alaska and the Dominion of Canada about the head of Lynn Canal.

Concluded by exchange of Notes, October 20, 1899, by John Hay, Secretary of State of the United States, and Reginald Tower, Chargé d’Affaires of Her Britannic Majesty at Washington.

IT is hereby agreed between the Governments of the United States and of Great Britain that the boundary-line between Canada and the territory of Alaska in the region about the head of Lynn Canal shall be provisionally fixed as follows, without prejudice to the claims of either Party in the permanent adjustment of the international boundary:—

In the region of the Dalton Trail, a line beginning at the peak West of Porcupine Creek, marked on the map No. 10 of the United States’ Commission, December 31, 1895, and on Sheet No. 18 of the British Commission, December 31, 1895, with the number 6500; thence running to the Klehini (or Klaheela) River in the direction of the peak north of that river, marked 5020 on the aforesaid United States map and 5025 on the aforesaid British map; thence following the high or right bank of the said Klehini River to the junction thereof with the Chilkat River, a mile and a-half, more or less, north of Klukwan: provided that persons proceeding to or from Porcupine Creek shall be freely permitted to follow the trail between the said creek and the said junction of the rivers, into and across the territory on the Canadian side of the temporary line wherever the trail crosses to such side, and, subject to such reasonable regulations for the protection of the revenue as the Canadian Government may prescribe, to carry with them over such part or parts of the trail between the said points as may lie on the Canadian side of the temporary line, such goods and articles as they desire, without being required to pay any customs duties on such goods and articles; and from said junction to the summit of the peak east of the Chilkat River, marked on the aforesaid map No. 10 of the United States’ Commission with the number 5410 and on the map No. 17 of the aforesaid British Commission with the number 5490.

On the Dyea and Skagway Trails, the summits of the Chilcoot and White Passes.

It is understood, as formerly set forth in communications of the Department of State of the United States, that the citizens or subjects of either Power, found by this arrangement within the temporary jurisdiction of the other, shall suffer no diminution of the rights and privileges which they now enjoy.

The Government of the United States will at once appoint an officer or officers in conjunction with an officer or officers to be named by the Government of Her Britannic Majesty, to mark the temporary line agreed upon by the erection of posts, stakes, or other appropriate temporary marks.

Inclosure 2 in No. 174.

Sketch Map.

[Not printed.]

No. 175.

The Marquess of Salisbury to Mr. Tower.

(No. 108.)

(Telegraphic.) P.

Foreign Office, November 7, 1899.

REFERRING to your despatch No. 303 of 27th October, I have to inform you that it is proposed to lay before Parliament the text of the notes exchanged between Mr. Hay and you respecting the provisional boundary of Alaska.

I should wish to be informed whether the Agreement has yet been published by the United States' Government, and in the event of such not being the case, you should inquire whether there is any objection on their part to its publication here.

No. 176.

Mr. Tower to the Marquess of Salisbury.—(Received November 8.)

(No. 77.)

(Telegraphic.) P.

Washington, November 8, 1899.

ALASKA provisional boundary.

The Agreement has been published in this country. Secretary of State has no objection to publication of notes exchanged.

No. 177.

Mr. Tower to the Marquess of Salisbury.—(Received November 9.)

(No. 309.)

My Lord,

Washington, October 30, 1899.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 213 of the 14th instant, containing the reply of Her Majesty's Government, to Mr. Choate's communication to your Lordship, as recorded in your Lordship's despatch No. 182, Confidential, of the 2nd August, relating to the reference of the Alaska Boundary question to arbitration on the terms adopted in the Treaty of the 2nd February, 1897, between Great Britain and Venezuela.

I read the despatch to Mr. Hay this morning, and, at his desire, left a copy with him in accordance with your Lordship's authorization.

I have, &c.

(Signed) REGINALD TOWER.

No. 178.

Mr. Tower to the Marquess of Salisbury.—(Received November 20.)

(No. 322.)

My Lord,

Washington, November 16, 1899.

WITH reference to my despatch No. 271 of the 21st September last, informing your Lordship of the complaint, raised by the United States' Government, of the presence in Skagway of two members of the North-Western Mounted Police of Canada.

I have the honour to inclose herewith copy of an approved Minute of the Canadian Privy Council, which has been sent to me by the Governor-General, containing explanations of the matter complained of.

I have forwarded copy of the inclosed Minute this day to the United States' Secretary of State, expressing the hope that the assurances given by the Dominion Government may be considered to be entirely satisfactory.

I have, &c.

(Signed) REGINALD TOWER.

Inclosure in No. 178.

*Extract from a Report of the Committee of the Honourable the Privy Council,
approved by the Governor-General on the 27th October, 1899.*

THE Committee of the Privy Council have had under consideration a copy of a despatch from Her Majesty's Chargé d'Affaires at Washington, dated Newport, Rhode Island, the 21st September, 1899, hereto attached; inclosing copy of a note from the Acting Secretary of State, of the United States, calling attention to the presence in Skagway of two members of the North-West Mounted Police of Canada, one of whom appears in uniform, and also to the fact that a notice, purporting to have been issued by the Commissioner of the Yukon territory, has been published on behalf of the officers of the Canadian Mounted Police in Skagway.

The Minister of the Interior, to whom the said despatch was referred, states that a non-commissioned officer of the Mounted Police has been located at Skagway, his duty is simply to attend to the transshipment and forwarding of supplies for the Canadian Government, and he was, in the month of August, 1899, instructed not to wear his uniform while in Skagway.

The Minister further states that an official connected with the Post Office Department is also stationed at Skagway for the purpose of assisting in the transmission of mails to and from the Canadian territory. The duties of both of these officials are of a purely civil character, and they are stationed in Skagway purely as a matter of Departmental convenience.

The Minister also states that the notice mentioned in the despatch warning people against entering the Yukon territory without provisions or money was issued as an emergency precaution for the purpose of preventing unnecessary distress and privation in the interior of the Yukon territory during the winter months. It is presumed that the officers in Canadian territory asked to have this notice posted in Skagway so that it might be the more effectually brought to the notice of persons intending to proceed to the interior. Instructions will be given immediately for the removal of the notice, and also for the removal of the sign "North-West Mounted Police of Canada Office" to which attention is also called in the despatch.

The instructions will also be repeated to the member of the Police Force to the effect that he is forbidden to wear uniform while in Skagway.

The Committee advise that your Excellency be moved to forward a certified copy of this Minute to Her Majesty's Chargé d'Affaires at Washington.

All of which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

No. 179.

Lord Pauncefote to the Marquess of Salisbury.—(Received November 22.)

(No. 327.)

My Lord,

Washington, November 11, 1899.

WITH reference to Mr. Tower's despatch No. 322 of the 6th instant respecting the complaint by the United States' Government of the presence in Skagway of two members of the North-Western Mounted Police of Canada, I have the honour to transmit copy of a further note which I have received from the United States' Secretary of State.

I have sent a copy of this note to the Governor-General of Canada.

I have &c.
(Signed) PAUNCEFOTE.

Inclosure in No. 179.

Mr. Hay to Mr. Tower.

Sir,

Department of State, Washington, November 10, 1899.

YOUR note of the 6th instant, inclosing a copy of the Minute of the Canadian Privy Council respecting the presence of members of the North-Western Mounted Police of Canada in Skagway, Alaska, has received my attention, and I regret to say that the action of the Privy Council hardly meets the objections stated in the note of this Department of the 19th September last.

The action of the Privy Council relates to the uniform worn by the Mounted Police and to the notice of the Commanding Officer posted by them in Skagway. An examination of the note of the 19th September will show that the objection advanced was to the maintenance by the Commander of the North-West Mounted Police of police or military agents at Skagway without the official recognition or authority of the Government of the United States. If the intimation made in that note that the objection might be obviated by the appointment of a Consular Officer does not meet the convenience of the British Government, I have to suggest that the service of these police agents might be discharged by a British civilian, and it is possible that the Canadian interests could be as well served by such a person.

I have, &c.
(Signed) JOHN HAY.

No. 180.

The Marquess of Salisbury to Lord Pauncefote.

(No. 113.)

(Telegraphic.) P.

Foreign Office, November 24, 1899.

WITH reference to Mr. Tower's telegram No. 71 of the 27th ultimo, pray inform the United States' Government of the selection of Mr. F. King, Government Astronomer at Ottawa, as the Representative of Her Majesty's Government in the Alaska provisional boundary demarcation.

No. 181.

Foreign Office to Colonial Office.

Sir,

Foreign Office, November 25, 1899.

I AM directed by the Marquess of Salisbury to acknowledge the receipt of your letter of the 22nd instant, inclosing a copy of a telegram from the Governor-General of Canada recommending Mr. W. F. King, the Government Astronomer at Ottawa, to represent Her Majesty's Government in the demarcation of the Alaska provisional boundary, and stating that Mr. Chamberlain concurs in that recommendation.

Her Majesty's Ambassador has accordingly been instructed by telegraph to notify Mr. King's appointment to the United States' Government.

I am, &c.
(Signed) F. H. VILLIERS.

No. 182.

Foreign Office to Colonial Office.

Sir,

Foreign Office, November 27, 1899.

WITH reference to my letter of the 24th instant respecting the complaint of the United States' Government of the presence in Skagway of members of the

North-West Police of Canada, I am directed by the Marquess of Salisbury to transmit to you, for the consideration of Mr. Secretary Chamberlain, copy of a further despatch on the subject which has been received from Her Majesty's Ambassador at Washington.*

I am, &c.
(Signed) F. H. VILLIERS.

No. 183.

Colonial Office to Foreign Office.—(Received November 30.)

Sir,

Downing Street, November 29, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letters of the 11th ultimo and the 24th instant, inclosing copies of despatches from Her Majesty's Chargé d'Affaires at Washington on the subject of the objection taken by the United States' Government to the maintenance of a Canadian Police Agency in Skagway.

2. Mr. Chamberlain presumes that Mr. Tower's action in the matter will be approved.

I am, &c.
(Signed) H. BERTRAM COX.

No. 184.

Colonial Office to Foreign Office.—(Received November 30.)

(Confidential.)

Sir,

Downing Street, November 29, 1899.

I AM directed by Mr. Secretary Chamberlain to transmit to you, for the information of the Marquess of Salisbury, six copies of a Memorandum,† which has been prepared in this Department, on the subject of the boundary between the Dominion of Canada and the United States' territory of Alaska in the region of the Lynn Canal.

I am, &c.
(Signed) R. L. ANTROBUS.

No. 185.

The Marquess of Salisbury to Lord Pauncefote.

(No. 247.)

My Lord,

Foreign Office, December 2, 1899.

I COMMUNICATED to the Secretary of State for the Colonies Mr. Tower's despatch No. 322 of the 6th ultimo, reporting that he has forwarded to the United States' Government a copy of the approved Minute of the Canadian Privy Council relative to the presence in Skagway of two members of the North-Western Mounted Police of Canada.

Mr. Tower's action is approved.

I am, &c.
(Signed) SALISBURY.

No. 186.

Foreign Office to Colonial Office.

Sir,

Foreign Office, December 2, 1899.

I AM directed by the Marquess of Salisbury to acknowledge the receipt of your letter of the 29th ultimo, and to express his Lordship's thanks for the valuable Memorandum on the Alaska boundary which accompanied it.

I am, &c.

(Signed) F. H. VILLIERS.

No. 187.

Colonial Office to Foreign Office.—(Received December 4.)

Sir,

Downing Street, December 2, 1899.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 27th November, inclosing copy of a despatch from Her Majesty's Ambassador at Washington in which he transmits copy of a note from the United States' Government stating that their objections to the maintenance of a Canadian Police Agency at Skagway are hardly met by the terms of the Minute of the Dominion Privy Council of the 27th October.

2. As regards the suggestion made by the United States' Government that the difficulty may be removed by the appointment of a British Consular Representative at Skagway, the Marquess of Salisbury will remember that in his Consular despatch No. 25, of the 23rd November, 1898, Lord Pauncefote proposed that the consideration of the question of British Consular representation in Alaska should be dropped pending the negotiations respecting the boundary dispute, and that his Lordship's proposal was subsequently referred to the Dominion Government for an expression of their opinion. No reply having as yet been received from the Dominion Government, Mr. Chamberlain is unable to say what view they would take of the United States' suggestion, though the Agreement as to the provisional boundary has no doubt altered the situation as regards Skagway since the date of Lord Pauncefote's despatch.

3. Mr. Chamberlain observes, however, that Mr. Hay's note has been communicated by Lord Pauncefote to the Dominion Government, and he proposes to await the result of that communication before offering my further remarks on the subject.

I am, &c.

(Signed) H. BERTRAM COX.

No. 188.

Lord Pauncefote to the Marquess of Salisbury.—(Received December 13.)

(No. 91.)

(Telegraphic.) P.

Washington, December 13, 1899.

ALASKA provisional boundary demarcation.

The United States' Government has designated Mr. O. H. Tittman, Assistant Superintendent of United States' Coast and Geodetic Survey.

No. 189.

Colonial Office to Foreign Office.—(Received December 23.)

(Confidential.)

Sir,

Downing Street, December 22, 1899.

I AM directed by Mr. Secretary Chamberlain to transmit to you, for the information of the Marquess of Salisbury, six copies of a Memorandum on the Alaska boundary question submitted by Sir L. H. Davies shortly before his return to Canada.*

I am, &c.
(Signed) C. P. LUCAS.

Printed for the use of the Foreign Office. September 1901.

CONFIDENTIAL.

(7576.)

PART XII.

FURTHER CORRESPONDENCE

RESPECTING THE

BOUNDARY

BETWEEN THE

BRITISH POSSESSIONS IN NORTH AMERICA
AND THE TERRITORY OF ALASKA.

1900.

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* Copy to Colonial Office, February 14, 1901.

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‡ Copy to Colonial Office, March 28, 1901.

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* Copy to Colonial Office, August 9, 1901.

CONFIDENTIAL.

Further Correspondence respecting the Boundary between the British Possessions in North America and the Territory of Alaska.

PART XII.

No. 1.

Mr. Choate to the Marquess of Salisbury.—(Received January 22.)

My Lord,

American Embassy, London, January 22, 1900.

YOUR Lordship's despatch to Mr. Tower No 213 of the 14th October, 1899, has been placed in my hands, with instructions to respond to your Lordship's courteous request to make further suggestions in reply bearing upon the question under discussion.

The United States' Government is not to be understood as refusing to submit to the adjudication of an independent Tribunal the real question at issue between us in respect to the Alaska boundary. On the contrary, as I understand it, the present discussion contemplates the probability of such a submission. As I stated in my note of the 9th August, to which your Lordship's note to Mr. Tower is an indirect reply, the President was prevented by the considerations there stated from assenting to the proposal that the Venezuela Treaty, as it stands, should be applied here, and that the subject matter to be adjudicated and the terms and conditions by which its action should be limited ought, if possible, first to be decided.

The Venezuela Treaty was calculated, and, as the result has shown, well and properly calculated, to enable the Tribunal to make by compromise a boundary-line in respect of which there has never been an agreement between the parties, and to evolve a fair adjustment of their respective claims out of the facts of discovery, occupation, and other historical circumstances in which their dispute as to the boundary had been involved for more than a century, during which the question had been always open. But in the present instance there is an express agreement of the parties defining the boundary—in the Treaty of 1825—which has subsisted ever since, practically without dispute as to its interpretation on the principal point. A clear and distinct interpretation on this point was put upon it by both parties in the written negotiations which resulted in the meeting of their minds upon it. This interpretation was regarded by both parties as vital and very important to their respective interests. It was publicly declared and acted upon by Russia from the date of the Treaty until she conveyed to the United States in 1867, and all that time at any rate it was acquiesced in by Great Britain. The United States continued publicly to maintain and act upon the same interpretation with the acquiescence of Great Britain confessedly until 1885, and as we claim until 1898, when a new and wholly different interpretation on this main point is put forward by Great Britain. The two interpretations thus presented are absolutely distinct and are not involved in any confused or doubtful historical explorations. One or the other is right and can and should be ascertained and determined so to be, to the exclusion of the other, and neither Party wishes to acquire an inch of the territory rightly belonging to the other. Surely the Tribunal which is to pass upon such a question should not be enabled to compromise it, but should be required simply to decide it. If the difference thus raised

is to be compromised, it should be compromised by the parties themselves, so that they can know exactly what they are doing.

I have spoken of the interpretation of the Treaty upon the principal point. By this, I mean the question whether the strip of coast ("*la lisière de côte*") which, by the Treaty is to belong to Russia, runs around the shores of the inlets or across their mouths—the former construction necessarily excluding Great Britain from the salt water at all points to a distance measured by the crests of the mountains parallel to the coast, if there are such, or by 10 leagues in the absence of such mountains, while the latter construction as necessarily gives to Great Britain so much of each inlet as extends above a point crossed by a line drawn from the crest of the mountains nearest to the coast. This is a question of construction between the two parties, to be determined in the usual way by the language of the Treaty interpreted in the light of the acts of the parties before and after, and including any claim of either that the other is estopped to dispute the construction which it asserts. It is eminently a question for jurists to determine judicially, and it was with this view that the United States, through its Commissioners in the Joint High Commission, offered to submit it to a perfectly independent Tribunal, to be composed of six learned jurists, three to be named by each party, and a majority of them to decide. It is not easy to see how any judicial Tribunal could compromise it, unless expressly commissioned to do so, as in the Venezuela case. They must decide it one way or the other.

This is the question which we maintain was never raised by Her Majesty's Government until 1898. Russia and the United States claimed the former interpretation from first to last; Great Britain realized its intrinsic importance from the beginning, but never disputed our interpretation, which was open, public, and uniform. These features of the case now presented differentiate it radically from the Venezuela case.

Your Lordship states that "no question as to the interpretation of the Treaty was raised by either party until 1885." It would be more in harmony with my view of the situation to say that Russia and the United States uniformly and publicly asserted an interpretation of the Treaty which Great Britain did not dispute.

But assuming this fundamental and very important question to be decided either by an independent Tribunal or by agreement of the parties, another question remains still to be determined—one of great importance and which has always been open—namely, the exact location of the boundary-line according to the spirit and meaning of the Treaty and its precise distance at every point from the coast. This is a question of no small difficulty, growing out of the alternative provisions of the IIIrd and IVth Articles of the Treaty, by the former of which the width of the strip or the distance of the British possessions from the coast is to be measured to the crests of the parallel mountains, but by the latter, if no such mountains are found within 10 leagues, then by that distance or by a distance never exceeding that.

This minor or secondary question might, of course, also be referred to an arbitration; but it is obviously not, like the first, a question for jurists. It would properly be disposed of by a joint survey. And it is a question of such minor importance, after the first question has been once determined, that neither party would probably desire to go to the great expense and trouble of an arbitration about it, but they would either run the line by agreement or leave it to be run by a joint survey, as was once agreed between them. For if the first question were once determined in accordance with the present contention of Her Majesty's Government, Great Britain or Canada would have in her own possession such a wide and ample stretch of sea-coast, being the entirety of all inlets beyond a point crossed by a line drawn from the crests of the mountains nearest the coasts, that a few miles, or even leagues, more or less, would make no substantial difference, while, on the other hand, if that question were once determined in accordance with the uniform contention of Russia and the United States since 1825, Great Britain or Canada having no possible foothold on the sea-coast through the whole length of the strip or *lisière*, a few miles, or even leagues, more or less, in its width at any point, would make no very important difference to either party.

The difficulty of locating the exact boundary-line according to any interpretation of the Treaty was in great measure removed by the Report and maps of the joint survey created by agreement of Great Britain and the United States in 1892.

Before taking up your Lordship's review of the facts and incidents since the date of the Treaty between Great Britain and Russia, which are cited as confirming the view that the question of the interpretation of the Treaty has been always open, I venture, with deference, to ask whether, in that review, the distinction which I have drawn between the question of the interpretation of the Treaty and the question of the actual demarkation of the boundary-line has not been lost sight of, for it appears very clearly

to me that nearly all of them recognize as an open question the actual demarcation of the line, which must remain open until it is actually accomplished, and that they do not suggest or assume that the question of the interpretation of the Treaty now raised and insisted upon by Great Britain was open.

It would be strange, indeed, if Her Majesty's Government, at the time of the exchange of the Treaty with Russia—or the Russian Government of that day—could have regarded the question now raised by Great Britain as left open, or that any question under the Treaty was left doubtful or open for future determination, except the actual demarcation of the boundary-line so as to carry out the spirit and intent of the Treaty as well known to them both and freshly in their minds from the protracted and very earnest struggle which they had had over its terms.

One persistent effort of Her Majesty's Representatives in that negotiation was to get to the sea, in the interest of the Hudson's Bay Company. The equally persistent effort of the Representatives of Russia was to set up a barrier in a strip of land which should keep Great Britain away from the sea at all points from the southern end of Prince of Wales Island to Mount St. Elias, so that the Russian establishments on the islands and the coast belonging to the Russian-American Company could by no possibility be interfered with, a point which the negotiators on behalf of Great Britain expressly and finally yielded.

I may not properly here enter upon an analysis of the protracted negotiations which culminated in the Treaty of 1825. They are now very familiar, and as we claim the whole course of the negotiation shows that the British Plenipotentiaries, and Mr. Secretary Canning as well, had a perfectly clear conception of the *lisière* upon which Russia insisted so strenuously—that it was to be Russia's impenetrable barrier to any alien access to or from the inner region of the mainland, a strip of territory running parallel to the sinuosities of the coast, and necessarily around the inlets and not across their mouths, extending at all points from the water's edge to the interior possessions of Great Britain, beginning at the point of the continent where the line, ascending to the north along Portland Channel, strikes the 56th degree of north latitude and extending to the intersection of the 141st meridian. It constituted a definite expanse of territory over which, and over the tide water along it, as well as over the islands outside of it, Russia possessed an exclusive jurisdiction—the same which she afterwards conveyed in its entirety to the United States. It could be pierced in favour of Great Britain only by rivers having their origin in British dominions, and flowing through the Russian territorial strip to tide water; and as to these, no lodgment on the Russian shore, but only access to the interior, was granted to Great Britain. The provisions as to this strip of land in the Vth and VIth Articles of the original Treaty, where it is referred to as "*la lisière de terre ferme*" and "*lisière de la côte*," must have been understood by the negotiators on both sides in the same sense.

And the fact that by the VIIth Article of the Treaty Russia gave, and Great Britain took, a licence for British vessels for ten years from the date of the Treaty to frequent "*toutes les mers intérieures, les golfes, havres, et criques sur la côte*" proves that the negotiators on both sides must have understood that all these interior waters, &c., were in Russian territory.

In view of this, we claim and insist that when the Treaty was signed the question now raised and pressed by Her Majesty's Government whether the *lisière* ran around the inlets or sinuosities of the coast or across their mouths was not left open or understood by the negotiators on either side, or by either Government for which they acted, as an open question, and if not then left open, it was certainly never attempted to be opened until 1885—and, as we claim, not until 1898. Of course, the actual demarcation of the line, with whatever difficulties pertained to it, according to the spirit and meaning of the Treaty, was necessarily left open, and could only be determined after the country was explored by competent survey.

Coming now to the references to the boundary question in subsequent correspondence between the Governments, which your Lordship regards as having been always upon the admitted basis that the whole line was undetermined, and that the interpretation of the boundary Articles of the Treaty was entirely an open question, I submit that in each instance, especially in view of what had preceded during Russia's ownership, these references indicated or assumed no more than that the whole line was undetermined in the sense of not having been surveyed and marked, but not that the interpretation of the Treaty on the main point now under consideration was in any sense open.

Immediately after the making of the Treaty, the Russian Government proceeded with the preparation of a map showing the respective possessions of Russia and Great Britain as fixed by the Treaty. This map was published in St. Petersburg in 1827 by

order of His Imperial Majesty. It runs the boundary-line from the head of Portland Channel at a distance of 10 marine leagues from tide water around the head of all the inlets to the 141st meridian. And along this line upon the map is inscribed the words: "Limites des possessions Russes et Anglaises d'après le Traité de 1825." There could have been no more direct and peremptory challenge to Great Britain, if its Government at that time regarded the interpretation of the Treaty as having been left an open question at the time of its signature, or as being then an open question as to which each Government was free to urge its own views.

The great importance of this location of the boundary as between the two nations, as represented respectively by the Hudson's Bay Company and the Russian-American Company, must have been still very fresh and vivid upon the minds of Her Majesty's Ministers who had negotiated and concluded the Treaty, Russia thus proclaiming to them and to the world a clear and emphatic interpretation of the Treaty which conformed to that which the negotiators on both sides had put upon it. Was not that the time and the last time for Great Britain to speak? Could her Government lie by without a protest, and at any time afterwards claim a different interpretation which would nullify the whole object of Russia in making the Treaty? But Great Britain did not merely lie by without a protest; she and Canada also expressly adopted this location of the boundary exactly as Russia had defined it.

In 1831 the map prepared by Bouchette, Deputy Surveyor-General of the Province of Lower Canada, "published as the Act directs by James Wild, Geographer to the King, London, the 2nd May, 1831," traces the Russian boundary on the continent exactly according to the Russian Imperial Map of 1827. And in 1832 the map of Arrowsmith, the most authoritative cartographer of London, whose earlier maps had been used by the negotiators of the Treaty, does exactly the same thing, stating upon its face that it contains the latest information which the documents of the Hudson's Bay Company furnish. And it will hardly be questioned that at that time the Hudson's Bay Company possessed all powers of government in the British territory in that region, and was in fact the only British authority there. Can it be claimed that at the time of the publication of that map, apparently by the authority of the Hudson's Bay Company and of the British Government—at any rate, without a protest from either—they then regarded the interpretation of the Treaty on this cardinal point as an open question?

And on Canadian authority maps were subsequently published defining the boundary in the same way, excluding Great Britain from all access to tide water along the whole extent of the line—notably, Devine's Map, published "by order of the Honourable Joseph Cauchon, Commissioner of Crown Lands, Crown Department, Toronto, March 1857." All the map makers of the world followed suit, and a careful search has failed to discover any map published anywhere prior to 1884, in which this boundary-line did not conform to the original Russian Imperial Map of 1827.

Your Lordship suggests that the only value of that region during the period from 1825 to 1867 lay in the fur trade; that by the terms of the Treaty that trade was thrown open on equal terms for ten years to the citizens of Great Britain, Russia, and the United States; that before the ten years expired the negotiations between the Hudson's Bay Company and the Russian-American Company, which resulted in the lease by the latter to the former of the lisière, had been initiated; and that as that lease, though made at first for ten years, by renewals terminated on the date when Alaska was ceded to the United States, it was a matter of indifference to that Company whether it derived its rights from its British Charter or from the Russian lease. But to me it is hardly conceivable that the Hudson's Bay Company, backed by the whole power and prestige of the British Government, would, with its approval, have accepted that lease if either the Company or the Government had had the least idea that under the Treaty of 1825 they were entitled, as of right, to what they took by lease and to what Canada now claims; and so I insist, with renewed earnestness, that the takings of that lease and the renewals were declarations to the world that neither regarded as open the contention now made on behalf of Canada.

The information conveyed in your Lordship's note, that before the expiration of the ten years' licence provided in the VIIth Article of the Treaty, negotiations had been initiated between the Hudson's Bay Company and the Russian-American Company for the lease of the lisière, which appears to have been signed at Hamburg on the 6th February, 1839, and that by renewals it was terminated only on the date when Alaska was ceded to the United States, is the first to that effect that my Government has received. All the data in its possession, including the Alaskan archives now in the

State Department, had indicated that the negotiations for the lease had been brought about in the latter part of the year 1838, three years after the expiration of the ten years, by a note from the British Ambassador in St. Petersburg, revising the claim of the "Dryad"—and the last record in the Alaskan archives of a renewal of it only extends it to 1865. But assuming your Lordship's information to be more accurate, we submit that both circumstances show that neither before the commencement of the lease, nor at its termination, did the Hudson's Bay Company or the British Government, which is so fully represented, regard the question now under consideration as open, or that the premises covered by the lease were in British territory; for in the one case they would have entered upon no negotiations before the expiration of the licence, and in the other would not have yielded possession without protest or murmur, but in both cases would have held on as of right.

What took place in 1857, following the appointment of a Select Committee in the House of Commons "to consider the state of those British possessions in North America which are under the administration of the Hudson's Bay Company, or over which they possess a licence to trade," is extremely significant to show that no one concerned on the part of the Company or the Committee had any doubt about the interpretation of the Treaty on the point now being discussed. Among the members of the Committee were Lord John Russell, Lord Stanley, Mr. Roebuck, Mr. Gladstone, and Mr. Ellice, who was a native of Canada and a Director of the Hudson's Bay Company. Chief Justice Draper, of Canada, attended its session as the Representative of the Government of Canada; Sir George Simpson, Governor of the territory and President of the Company, was a principal witness. In connection with his testimonies he produced a map of the territory leased, saying, "There is a margin of coast marked yellow on the map from 54° 40' up to Cross Sound which we have rented from the North American Company for a term of years," and the boundary as laid down on that map conforms to the present claim of the United States, being carried around all the inlets and interior waters. The map was printed by order of Parliament, and no objection to the validity of the lease or to the correctness of the map was suggested by anybody. The lease itself was not only made with the approval of both Governments represented by the two Companies, but shortly before this Parliamentary inquiry it had been ratified anew by both Governments. During the Crimean War, at the request of the two Companies, the territory covered by the lease was by the order of both Governments exempted from the operation of the war.

I have thus carefully reviewed all the circumstances that intervened from the negotiations of the Treaty in 1825 till the cession to the United States in 1867, a period during which, I think, we may reasonably claim that this main question was not regarded as open by either Russia or Great Britain, but that the acts of both solidly confirmed the interpretation put upon the Treaty at the beginning by Russia and ever since by her and by the United States, not only because of their conclusive effect, but because it is necessary to bear this prior history in mind in considering the subsequent facts relied upon by your Lordship as indicating that both parties subsequently regarded this question as open, and also to keep clearly in mind the distinction between this fundamental question and the actual demarcation in accordance with the spirit and intent of the Treaty as thus uniformly interpreted by both parties, which was always open and never could be accomplished until after a complete survey of the region through which the line ran.

Bearing these things in mind, I submit to your Lordship that it is impossible to sustain the suggestion that President Grant, in his Annual Message to Congress in December 1872, accepted the view that "the interpretation of the boundary Articles of the Treaty was entirely an open question as to which each Government was free to urge its own views." On the contrary, no such idea can be read even between the lines of his Message. Indeed, he asserts the boundary to be an "admitted boundary," and only alludes to the line as being undetermined in the sense of its never having been surveyed and marked down; and the Message furnishes a very strong argument in support of our present contention that the main question was not open.

It will be remembered that the Award of the Emperor of Germany in the San Juan case had just then been made. The questions involved were in some respects singularly like those involved here: first, whether the water boundary described in the Treaty ran through Rosario Channel or through Haro Channel; and, second, whichever channel was decided to be the one, to survey and mark it out according to the spirit and intent of the Treaty. The British Commissioners had proposed that the Arbitrator should have the right to draw the boundary through an intermediate channel. The American Commissioners declined this proposal, stating that they desired a decision and not a

compromise; and the submission to the Emperor was to determine whether it ran through one channel or the other, and his Award had been that it was most in accordance with the true interpretation of the Treaty that the boundary-line should be run through the Haro Channel; but this left still undetermined the tracing out and marking of the line in conformity with the Award.

President Grant, having in his Message stated the history of the case and his satisfaction with the Award and with the prompt and spontaneous action of Her Majesty's Government giving effect to it, and having already said, "*The Award leaves us, for the first time in the history of the United States as a nation, without a question of disputed boundary between our territory and the possessions of Great Britain on this continent,*" proceeds:—

"It now becomes necessary to complete the survey and determination of that portion of the boundary-line (through the Haro Channel) upon which the Commission which determined the remaining part of the line were unable to agree. I recommend the appointment of a Commission to act jointly with one which may be named by Her Majesty for that purpose.

"Experience of the difficulties attending the determination of our admitted line of boundary, after the occupation of the territory and its settlement by those owing allegiance to the respective Governments, points to the importance of establishing by natural objects or other monuments the actual line between the territory acquired by purchase from Russia and the adjoining possessions of Her Britannic Majesty. The region is now so sparsely occupied that no conflicting interests of individuals or of jurisdiction are likely to interfere to the delay or embarrassment of the actual location of the line. If deferred until population shall enter and occupy the territory, some trivial contest of neighbours may again array the two Governments in antagonism. I therefore recommend the appointment of a Commission to act jointly with one that may be appointed on the part of Great Britain, to determine the line between our territory of Alaska and the conterminous possessions of Great Britain. (For. Rel., U. S., 1897)."

Is it not absolutely certain that no idea of there being any open question about the interpretation of the Treaty had ever entered the President's mind? He declares it to be "an admitted line of boundary," and recommends, exactly as in the San Juan case upon the footing of the Award, "a Joint Commission to determine the line."

President Grant's recommendation was occasioned by personal conference between the British Minister, Sir Edward Thornton, and the Secretary of State. Mr. Fish, in the preceding month, in which the former, under instructions from the Foreign Office, proposed the appointment of a Joint Commission for the purpose of defining the boundary between Alaska and British Columbia, and he reported under date of the 25th November that Mr. Fish stated that the President had determined to recommend in his Annual Message that a Joint Commission be appointed "for the purpose of laying down the boundary."

On the 23rd December of the same year Sir Edward Thornton, referring to his previous conference with Secretary Fish, transmitted to the Foreign Office a copy of the Bill introduced in Congress "authorizing the survey and marking of the boundary" (see Canadian Session Papers 1878, No. 125, pp. 6, 7, 8). In no part of this correspondence is there any intimation that the interpretation of the Treaty was in dispute. It was merely a movement to have the boundary fixed by the Treaty surveyed and marked.

When gold was discovered in the Cassiar region, which was reached through the Stikine, and the passage of miners up that river ensued, it was deemed wise to have the eastern boundary of the lisière where it crosses that river more accurately defined, which led to the movement in 1873-74 on the part of the two Governments for a joint survey. The cost of a survey of the entire boundary being objected to, it was suggested, in a conference between Sir Edward Thornton and Secretary Fish, that it would be sufficient to fix the boundary at certain named points, viz., the head of the Portland Canal, "the points where the boundary-line crosses the Rivers Skoot, Stikine, Taku, Islecat, and Chilkat, Mount St. Elias, &c." The Legislative Assembly of British Columbia, in petitioning the Canadian Government for a survey, refers to it as "the boundary of the 30-mile belt of American territory." Dennis, Surveyor-General of Canada, to whom the matter was referred, restated the points to be determined, and named the rivers, viz., Skoot, Stikine, Taku, Islecat, and Chilkat. The Skoot was at no point nearer than 25 miles to tide water, and the points of crossing of the rivers were

far above the heads of inlets into which they emptied. The survey was agreed upon, but failed because Congress made no appropriation; but it is clear that the British and Canadian authorities understood that the eastern boundary of the strip crossed the rivers named at some point above their mouths, which are at the head of inlets, including Lynn Canal, and that the boundary could not therefore cross any of those inlets, which is quite inconsistent with the theory that the question was then regarded as open whether the lisière ran around the inlets or crossed their mouths.

In the years 1874 to 1876 questions arose as to the proper location of custom houses of the two Governments on the Stikine River, and the point in dispute centered around the crossing of the river by the boundary-line 30 miles in a direct line from the coast. The British Minister, reciting the complaint, stated that the British Custom-house was "supposed to be within the United States' territory—that is, within the 10 marine leagues from the coast." The Privy Council of the Dominion of Canada, in moving the Governor-General to bring the subject of the survey again to the attention of the United States, recites that "the Stikine River intersects the international boundary in the vicinity of the 57th degree of north latitude," that is, 30 nautical miles from the coast in a direct line.

It is admitted by your Lordship that in 1873 the discussion between the two Governments was entirely confined to the question of a joint survey, an indispensable preliminary to any attempt to fix the boundary, and "never touched upon the interpretation of the Treaty." But my Government cannot agree to the proposition that "in the complete absence of topographical information as to the country, it was obviously impossible to discuss that question, and that it was tacitly avoided by both sides." What could the absence or presence of topographical information as to the country have to do with the question whether the lisière, by the true interpretation of the Treaty, ran around the inlets or across their mouths? Whether it was intended to be a continuous border of solid land, which should serve as an effectual barrier against the access of the Canadians to salt water, or should be no strip at all, but a broken series of portions of the coast, admitting Canada to full possession and enjoyment of the interior waters in many places? And how could the suggestion of Secretary Fish as to the points where the boundary described in the Treaty crossed the rivers, all of which were points of considerable distance above the inlets, fail to command the attention of Her Majesty's Government if it had all this time been of opinion that the upper part of these inlets was in each case in British territory? If, as your Lordship concedes, the subject of the interpretation of the Treaty was in that correspondence tacitly avoided on the side of Great Britain, may we not fairly claim that the reason for silence on the part of the United States was because the positive interpretation which had been publicly and uniformly asserted by Russia and themselves for nearly fifty years had never been questioned; in other words, because there was no question? Certainly the United States never avoided it, tacitly or otherwise.

My Government does not regard what took place between the two Governments in 1876-77 in the case of Peter Martin as having any conclusive bearing. My reference to it in my note of the 9th August was quite casual, as to one of the very few instances in which there had been any correspondence on the subject of the boundary; but there are certain features in that case which are relevant. No one can read the note of Secretary Fish to Sir Edward Thornton of the 10th January, 1877, and impute to him any suspicion that the interpretation of the Treaty definition of the boundary on the point now under consideration was open, or that anything was left undetermined except the exact location of the admitted boundary-line. He says:—

"The absence of a line defined and marked on the surface of the earth as that of the limit or boundary between the two countries cannot confer upon either a jurisdiction beyond the point where such line should in fact be, that is, the boundary which the Treaty makes the boundary. Surveys make it certain and patent, but do not alter rights or change rightful jurisdiction."

It is quite true that the Minister of Justice recommended that the release of Martin be put upon the ground of the conveyance of the prisoner through American territory. But the British Chargé, in his note to Mr. Fish, did not state the ground upon which the release was ordered; and the proceedings seemed to involve a tacit concession on the part of Great Britain that the place of the assault was in American territory. The demand for his release was upon that ground, and the British Minister so understood it. In examining the Canadian documents in relation to the case, it appears that the Surveyor, who was sent by the Canadian Surveyor-General to visit the locality, reported

four months before the release of Martin that the assault for which Martin was tried was committed in the territory of the United States 13 miles from the mouth of the Stikine River; and the Minister of Justice, to whom the case was referred for investigation, reported to the Privy Council that the assault was upon American territory, and no suggestion to the contrary was made by any one on the part of Great Britain.

In my note of the 9th August I made no reference to Mr. Bayard's note to Mr. Phelps of the 20th November, 1885, and to the correspondence which that note initiated. This omission was not from overlooking that note and correspondence, but because a careful reading of it had satisfied me; and now that your Lordship has brought it up, I submit to your candid judgment that Mr. Bayard did not there take the view that the interpretation of the boundary Articles of the Treaty was an open question, but only that the demarcation of the line was undetermined and was full of difficulties in the then state of topographical knowledge. Of course Mr. Bayard in that note made no claim that the interpretation of the Treaty as regards any particular part of the boundary-line was no longer open, for nobody, so far as we can discover, had up to that date claimed that it was open. Certainly no one on the part of Her Majesty's Government had done so.

Undoubtedly, Mr. Bayard did point out in that note that "no question concerning the true location of the line stipulated in the Treaty had ever arisen between Great Britain and Russia prior to the cession of Alaska to the United States." But in the same paper and in the same connection he had already said, "It is certain that no question has arisen since 1867 between the Governments of the United States and Great Britain in regard to this boundary," thus covering the whole period from 1825 to 1885.

In view of these emphatic declarations my Government is at a loss to understand how he can be held to have sustained the view that at the latter date the interpretation of the Treaty as to the boundary was an open question between the two Governments.

All the statements of Mr. Bayard and Mr. Phelps in the correspondence that followed must be read in the light of these declarations and the view of the object at which they were aiming, viz., to obtain, not an arbitration to interpret the Treaty, but a Joint Commission which should make a survey of the line stipulated by the Treaty, or, as Mr. Bayard afterwards limited it (in his subsequent instruction of the 19th March, 1886, to Mr. Phelps), to "an Agreement for a preliminary survey of the Alaska boundary with a view to the discovery of such natural outlines and objects as may be made the basis for a future formal Convention for the survey of the boundary-line."

He was deeply impressed with the extreme difficulty and enormous expense of a survey of the boundary line—difficulties and expense which we think have been very greatly reduced by the Report of the Joint Commission appointed in 1892 and the maps prepared by that Commission—but all that Mr. Bayard and Mr. Phelps said may be read in vain for any indications of a doubt in the mind of either, whether the *lisière* was a continuous and solid strip of land running around the inlets, and excluding Great Britain from access to the sea in every part of its length, or a congeries of broken strips interrupted at the mouth of every inlet and admitting her to exclusive possession of all parts of every inlet above a point crossed by a line drawn from the crests of the mountains nearest to the coast. The difficulties of which Mr. Bayard treated at great length were the same which Mr. Fish and the experts of both Governments then consulted had encountered in 1872, but neither then nor in 1885 did they suggest a divergence of views as to the interpretation of the Treaty.

When the Earl of Iddesleigh sent the Canadian Map to Mr. Phelps with his note of the 27th August, 1886, and felt called upon to disavow the correctness of the line of boundary as marked on it, he raised no question about the interpretation of the Treaty of 1825—certainly none as to whether the *lisière* ran around the inlets, so as to keep Canada at all points 30 marine miles from salt water—but pointed directly and exclusively to the doubt which had always existed as to the exact location of the boundary-line, the eastern end of the *lisière*, occasioned by the alternative clauses of the Treaty defining it by parallel mountain summits, or in their absence by the 10 leagues. He says that the boundary-line shown on the map "is merely an indication of the occurrence of a dividing line somewhere in that region;" and he goes on to explain what he means by that and why no weight could be attached to it, inasmuch as the Treaty "which defines the line makes its location depend on alternative circumstances—the occurrence or non-occurrence of mountains, and, as is well known to all concerned, the country has never been topographically surveyed." Surely, considering that at that time,

more than sixty years since the Treaty, the question now raised had never been suggested, nor any question about the meaning of "the coast" or "the sinuosities of the coast," the phrases employed in the Treaty, he could not have intended covertly to raise it for the first time by the languages used, nor could he have believed that our Government would so understand that language, which by the ordinary rules applicable to diplomatic correspondence, or to any correspondence, must be limited to its obvious meaning; for after sixty years of silent acquiescence and occasional active concurrence in the interpretation publicly asserted by Russia and the United States, if he intended to raise such a radical question to the contrary, he should have done it in unmistakable terms. The Earl of Iddesleigh's language is in exact conformity with the inscription upon the map itself, which he inclosed, and which doubtless suggested to him the caution which he gave.

"The boundary between British Columbia and Alaska as shown upon this map is taken from a map of British Columbia published in 1871, under the direction of . . . Surveyor-General for the Province of British Columbia; but no steps have yet been taken by the Canadian Government to verify what degree of accuracy may be attached to the boundary thus laid down."

The same observations apply in full force to the language quoted by your Lordship from the Memorandum given to Mr. Secretary Bayard by Sir L. S. Sackville West in September 1887. There was no more reason why the United States' Government should take exception to this declaration than to that of Lord Iddesleigh, already discussed.

In April 1886, Sir L. West had been instructed by Lord Rosebery to inform the Government of the United States that Her Majesty's Government are prepared to take part in the preliminary investigation of the boundary question. And Lord Rosebery had notified Mr. Phelps that he did not propose to move further in the matter until he knew what action was taken towards an appropriation by Congress.

In the meantime, Lieutenant Schwatka having been sent to Alaska, not by the United States' Government, but by General Miles, then commanding the Department of the Columbia, and not to make any survey, but to gather information for military purposes, had made his Report, and neither the Report nor the map which accompany it delineating his route disclose any boundary survey on his part or the fixing of any points for the boundary. His Report, however, casually stated that "the country beyond Perrier Pass," which by his map appears to be more than 20 leagues beyond the head of Lynn Canal), "lying in British territory, lessens the interest of this trail beyond the pass to the military authorities of our Government." This remark, which from the context is shown to be merely incidental to the narrative of his journey, has no further significance than an assertion on his part that the Kotush mountains are situated in British territory.

And Sir L. West, in his Memorandum, so far from raising any question about the interpretation of the Treaty, or claiming that the question now presented was open, expressly declined to raise any discussion even in regard to the position of the boundary, but merely called attention to Lieutenant Schwatka's statement, so that no prejudice might come from silence about it. There is no indication that either he or Lord Rosebery had any idea that any question of interpretation existed.

I venture to suggest that your Lordship may have inadvertently, and without full consideration of the circumstances, laid too much stress upon Dr. Dawson's letter of February 1888, which comes next in order of time. Your Lordship draws the conclusion that "Dr. Dawson, during the sittings of the Joint High Commission of 1888, made it distinctly clear that Her Majesty's Government claimed that the boundary should, in accordance with the terms of the Treaty, cross all narrow waters that were of such width as to be within territorial jurisdiction," and "that United States' citizens who have settled recently at the head of the Lynn Canal have done so with the full knowledge," as given in that letter, "that they were settling in disputed territory."

It appears by the documents transmitted to Congress by President Cleveland, the 2nd March, 1889, that Secretary Bayard reported that "during the session of the Fisheries Conference of 1887-88 in Washington it was suggested that an informal consultation between some person in this country possessing knowledge of the question in dispute and a Canadian similarly equipped might tend to facilitate the discovery of a basis of agreement between the United States and Great Britain upon which a practical boundary-line could be established."

Mr. Bayard then proceeds to state that to this end several conferences were held between Professor Dall, of the United States' Geological Survey, and Dr. Dawson, an

eminent Canadian authority, but without any other result than that each of these gentlemen had given his account of these Conferences—the former to the Secretary of State, the latter to Sir Charles Tupper—which, together with other documents, including a letter of Dr. Dawson to Sir Charles Tupper on the boundary question and Memorandum of Professor Dall on the same subject, with maps, were submitted. Professor Dall, in his report of the interviews, says :—

“It was mutually announced and agreed that the meeting was entirely informal; that neither party had any delegated authority whatever,” and it is quite clear that they had no governmental authority whatever on either side. “It was thought that if Dr. Dawson and myself could unite in recommending some plan as practicable, that opinion or plan would be entitled to some consideration.” These conferences were not held “during the sittings of the Joint High Commission of 1888,” and this, the first suggestion that has come to our knowledge “that the boundary should, in accordance with the terms of the Treaty, cross” any waters, was not presented before the Commission, but in this “informal meeting” where “neither party had any delegated powers whatever.” It appears by Dr. Dawson’s letter, upon which your Lordship relies, that he did not put forward this idea as originally his own, or one for which he was responsible, or as a claim in any sense of Her Majesty’s Government, but as the view of a Canadian land surveyor, General Cameron, which he says in his letter to Sir Charles Tupper “may be substantially adopted,” and he courteously furnishes Professor Dall with a copy of the letter as stating clearly General Cameron’s views. It was wholly immaterial whether Dr. Dawson adopted General Cameron’s views or not; but Sir Charles Tupper, who was then in Washington, and was keenly alive to the importance of everything bearing on the Alaska boundary was in no mood to adopt them. He appears purposely to have refrained from doing so; for in communicating to the Secretary of State a copy of this letter of Dr. Dawson, he refers to it as explanatory, not of the views of himself, or of the Canadian or the Imperial Government, but of Dr. Dawson’s own views.

I annex a copy of Sir Charles Tupper’s letter.

Professor Dall describes them as “some very surprising claims” and as “the singular hypotheses regarding the boundary-line which have been omitted by General Cameron, of Canada, and which are formulated in the accompanying letter to Sir Charles Tupper.” And Mr. Bayard refers to them as “certain views of General D. R. Cameron, as submitted in the letter of Dr. Dawson.” Certainly, therefore, Her Majesty’s Government made no such claim. And if there was any purpose on the part of the Canadian Government of making it, such purpose was very studiously and successfully disguised. I think it will appear that neither the Canadian nor the Imperial Government adopted or put forward this claim until after the Protocol of the 30th May, 1898.

If the views of Her Majesty’s Government as to the boundary were fully stated at the Conference held in Washington in February 1892, with members of the Canadian Cabinet and the British Minister, and a suggestion was submitted for a reference of the question to arbitration, it does not appear of record in the Department of State, and no information of such a proposition is in its possession. No Protocol of the Conferences was made, as it was understood in advance that they were to be of an informal and private character; but Secretary Blaine submitted to the President a Report of some length in regard to the February Conference, as did Mr. Foster with respect to the second Conference in June—both of which were transmitted to Congress, and published (Senate Ex. Doc. 114, fifty-second Congress, first Session, pp. 3-43).

These Conferences were brought about because of the protests of the Canadian Government against a Reciprocity Treaty with Newfoundland; and in the preliminary arrangements for the meeting, while a number of subjects were suggested for consideration, the Alaska boundary was not mentioned. Almost the entire time was taken up with commercial questions, of which Mr. Blaine makes full report, and very briefly refers to other questions, among them “a Commission to fix the boundary separating Alaska from British territory,” but there is no intimation of so serious a proposition as an arbitration of that question.

I am not able to perceive, therefore, that a proposition on the part of the British Representatives, assuming it to have been made at such an informal Conference in the terms quoted by your Lordship, but which the American Representatives refused to consider, can be regarded as raising or opening the question of the interpretation of the Treaty now under consideration. Undoubtedly, if that suggestion had been adopted and carried into an executed agreement, it might have been possible under it to raise before the Tribunal any question whatever; but as a rejected proposition in the form stated it opened nothing, certainly not the question of interpretation of the Treaty raised by Canada’s present claim.

It is suggested by your Lordship that the Treaty which was soon afterwards signed by the Secretary of State, Mr. Foster, and the British Chargé, Mr. Herbert, was, and was expressed to be, "with a view to the ascertainment of the facts and data necessary to the permanent delimitation of said boundary-line in accordance with the spirit and intent of the existing Treaties;" and that it was "agreed that as soon as practicable after the report of the Commission shall have been received, they will proceed to consider and establish the boundary-line in question." The facts and data were to be the result of the surveys of scientific experts, and no inference can be drawn from this Convention that there existed any divergence of views as to the interpretation of the Treaty of 1825, especially as to the point now under consideration. It brought no such claim to the attention of the American Government. What was postponed to be taken up after the reports of the Commission should come in, and upon the facts and data derived from such reports, was the consideration and establishment of the boundary-line. And it is now believed that with the light thrown upon the topography of the country by the elaborate series of maps on which the results of the joint survey were embodied, if the question now raised whether the *lisière* runs around the inlets or across their mouth were decided, the actual location of the boundary in either view could be easily made by agreement or by the present Joint High Commission.

So far as the records of the State Department disclose, the first proposition submitted by the British Government for an arbitration of the Alaska boundary was contained in the note of the British Ambassador, Sir Julian Pauncefote, to Secretary Sherman, which it now appears by your Lordship's despatch he was directed to write before Her Majesty's Government had received the maps referred to. It is true that in this note he refers to "the wide divergence of views existing," but when he comes to explain this by particularizing the line respecting which his Government is most concerned, he says:—

The great traffic which is now attracted to the valley of the Yukon, in the North-West Territory, by the recent discovery of gold in that region, finds its way there from the coast principally through certain passes at the head of Lynn Canal, and it becomes more important than ever for jurisdictional purposes that the boundary, especially in that particular locality, should be ascertained and defined."

This was the last statement of the views of the British Government before the creation of the Joint High Commission, and it developed the fact that up to that time the divergence now so much emphasized was more apparent than real, as it recognized that the line in dispute about the head of Lynn Canal was in the neighbourhood of the passes. And this is the case in every instance cited in your Lordship's despatch where the British Government has made any declaration of its views. I have already commented on the Earl of Iddesleigh's letter to Mr. Phelps in 1886. In 1887-38 when the British and American Customs officials came into conflict on the Stikine River, and Sir Edward Thornton submitted a proposition for a settlement, the question was whether the line in accordance with the Treaty should be drawn across the river where the Canadian surveyor had placed it 20 miles from tide water, or 30 miles. In 1872, when the effort was made for the creation of a Commission to mark the boundary, it has been shown that there was a concurrence of opinion between the two Governments that the line should be drawn across the rivers named, among which was the Skoot, which at no point was less than 25 miles from tide water. It is clear that in every instance when up to the creation of the Joint High Commission the British Government has made any representation to the Government of the United States respecting the boundary, it has related to the eastern or interior line of contact with Canadian territory, either on the rivers or in the mountain passes, and that whatever uncertainty or difference of views was manifested arose from the want of precise knowledge as to the topography of the country, and did not concern the interpretation of the Treaty. It is also clear that at no time previous to the 3rd August, 1898, has the British Government intimated to the Government of the United States a claim to the waters of the inlets extending into the strip of mainland set off to Russia by the Treaty of 1825.

Certainly, until such claim was made, and the rights of the United States under the Treaty in the territory now disputed were challenged, there was no occasion for them to refer to the subject of possession, occupation, or political control in any correspondence with Great Britain; but we maintain that possession, occupation, and political control of the territory now disputed were exercised continuously from 1825 to the present time by Russia and the United States in succession, and such exercise is in its nature claim of title.

I have refrained in this communication from importing any extraneous considerations and arguments in support of an interpretation of the Treaty of 1825, but have limited it to what seems to me to be cogent and conclusive grounds for the assertion that its interpretation on the point presented has not been open in the long period from 1825 to 1898. It is true that these views would be entitled to equal consideration before a Tribunal appointed to interpret the Treaty and settle the boundary, but the uniform acquiescence and occasional concurrence of one party in an interpretation openly proclaimed and acted on by the other seems to be a complete answer to the claim that that interpretation continues open.

If the British or Canadian Government had at any time desired to enter a protest against the claim of the United States, abundant official data existed upon which such a protest might have been based. In 1867, immediately after the signing of the Treaty of Cession, the Department of State issued an official map of the territory of Alaska, on which the international boundary was traced, carrying it well beyond the sources of the streams emptying into Lynn Canal, and this line has been accepted in all the cartographic publications of our Government since that date. In 1883 the Secretary of State sent to the British Minister in Washington at his request copies of the Annual Reports of the United States' Coast and Geodetic Survey for 1874 and for other succeeding years, containing boundary limits of a similar character.

The Census publications of 1880 and 1890 not only contained a similar map, but also an enumeration of the Indian tribes of the territory, including those inhabiting the country about the head of the Lynn Canal. Many other publications of a similar character might be cited. Her Majesty's Government, however, held its peace during the time of these publications, and entered no claim to any part of the Lynn Canal until after the Protocol had been signed in 1898, providing for a Joint High Commission to adjust unsettled Canadian questions.

The first presentation by Her Majesty's Government of the present claim of Canada was made in the instructions issued by the Foreign Office to the British members of that Commission, bearing date the 19th July, 1898, which was received by the Secretary of State on the 3rd August in that year. During the Conferences of that Commission, the American Delegates asserted that no such claim had ever been put forward by the British Government previous to the creation of the Commission, and the assertion was not called in question. Chairman Fairbanks, in his letter to Lord Herschell, of the 14th February, 1899, referring to this claim, used this language:—

“Our first advices on this subject were received at your hands since our Sessions began at Quebec. . . . If the views you now present have been urged upon the attention of the United States at any time prior to the original Protocol (30th May, 1898), we shall esteem it a favour if you will be good enough to direct us to the fact and date; further, we shall be pleased if you will advise us at what time since 1825 the British Government made claim on either Russia or the United States to any territorial rights round the upper part of Lynn Canal.”

To this Lord Herschell, in his letter of the 15th February, 1899, replied:—

“The statement that the views of the British Government had not been made known till that time (the assembling at Quebec the 23rd August, 1898) is erroneous. The instructions given us by the British Government made it perfectly clear that the upper part of the Lynn Canal was claimed as British territory. . . . A copy of these instructions was sent on the 1st August, 1898, to the United States' Secretary of State.”

To this letter Chairman Fairbanks, under date of the 16th February, 1899, responded as follows:—

“It is quite true, as stated in your letter of yesterday, that the instructions of your Government were sent to our Government a few days before the Quebec meeting, but they did not, in fact, come to the attention of the Commissioners until they assembled at Quebec. You will no doubt recall the observation made by General Foster, during your presentation of the British Case upon the boundary, that the view then advanced by you respecting the head of the Lynn Canal was the first distinct statement of the British claim. I do not recall that you seriously disputed it.”

Thus the exact *punctum temporis* of the first assertion of this claim of Canada by Her Majesty's Government is fixed. Your Lordship says that “the question immediately under discussion is whether or not the dispute as to the boundary should be

referred to arbitration, and it is difficult to understand why the length of time during which the rival claims to disputed territory have been matters of controversy should form an element to be taken into consideration in that connection." But I may be pardoned, at the expense perhaps of painful repetition, for saying that the precise question under immediate discussion is not whether there should be an arbitration, but, assuming both sides to be so disposed, whether the terms and scope of the Venezuelan Arbitration, where the Arbitrators were left free to wander over the whole breadth of territory which had been the subject of constant and open dispute for more than a century, and to make the boundary which they could not find, should be applied to this case, where a line fixed by a Treaty in 1825, a plain interpretation of which has been uniformly and publicly asserted by one party without question or protest by the other for seventy-three years, is at the end of that time assailed and a new line claimed—and where the one claim or the other must be right—leaving no middle ground on which to create a boundary in the place of the one fixed by the Treaty.

I am sure that these views, offered at your Lordship's suggestion, will receive consideration at the hands of Her Majesty's Government.

I beg to assure your Lordship that the Government of the United States is under no misapprehension as to the nature and scope of the proposal for arbitration submitted by Her Majesty's Government. If I dwelt almost exclusively in my note of the 9th August, as I have done in this communication, "upon the boundary in the neighbourhood of the Lynn Canal," it was because I took that as the most striking example of all the inlets, and because I regarded the question whether the boundary of the Treaty runs around them or across their mouths as the most important and as the one which keeps us so far apart. For, if this question were once solved, neither the question of the water boundary described in the Treaty as "ascending to the north along the channel called Portland Channel" nor the actual demarcation of the land line by mountain crests or by the 10-league measure would, I think, be difficult to settle either by Convention or by the aid of the Joint High Commission. While the claim of Her Majesty's Government is not stated with absolute distinctness in your letter of instruction of the 19th July, 1898, it was to be inferred from its perusal that the British Commissioners would maintain that under the Treaty Great Britain should at least be entitled to a portion of Lynn Canal. And in the Conferences of the Commission a map was submitted by them (doubtless the one referred to by your Lordship) with a boundary-line traced upon it setting forth the British claim, which developed a divergence of views as to the line, not only in the region of the Portland Canal, but along the entire mainland of the lisière. It is therefore distinctly understood that the British proposal of arbitration relates not only to the entire line of the strip of territory from Portland Canal to Mount St. Elias on the mainland, but that it embraces in the submission the British claim to a portion of all the inlets extending into the mainland and to the greater part of Lynn Canal.

I need not repeat what I said in my note of the 9th August as to the necessity of excepting from the perils of any arbitration settlements made by American citizens in good faith under the authority and actual jurisdiction of the Government of the United States before the claim now made on the part of Canada was ever presented by Her Majesty's Government. Such necessity and the injustice of involving them in an arbitration are too obvious.

I have, &c.

(Signed) JOSEPH H. CHOATE.

Inclosure in No. 1.

*British Legation, the Arlington, Washington,
February 11, 1888.*

Dear Sir,

IN supplement of the Alaskan maps by Dr. Dawson which I presented to you yesterday.

I now beg your acceptance of the accompanying copy of Dr. Dawson's letter of the 7th instant explanatory of his own views on the subject of the British-Alaskan boundary.

Believe me, &c.

(Signed) CHARLES TUPPER.

The Honourable T. F. Bayard,
Secretary of State.

No. 2.

Foreign Office to Colonial Office.

Sir,

Foreign Office, January 27, 1900.

WITH reference to my letter of the 14th October, 1899, inclosing a copy of the instructions sent to Her Majesty's Chargé d'Affaires at Washington on the subject of the Alaska boundary, I am directed by the Marquess of Salisbury to transmit to you, for Mr. Secretary Chamberlain's consideration, a copy of a note from Mr. Choate which contains the reply of the United States' Government to the arguments put forward in Lord Salisbury's despatch.*

I am, &c.
(Signed) F. H. VILLIERS.

No. 3.

Lord Pauncefote to the Marquess of Salisbury.—(Received February 8.)

(No. 36.)

My Lord,

Washington, January 30, 1900.

I HAVE the honour to report that I have received a despatch from the Earl of Minto transmitting to me a copy of an approved Minute of the Privy Council for Canada dated the 23rd instant, suggesting the advisability of the Commissioners appointed by Her Majesty and the Government of the United States to delimit the provisional boundary-line between British Columbia and the territory of Alaska being put into direct communication with one another so that the necessary preliminaries may be arranged for proceeding with the delimitation of the boundary as soon as the season becomes favourable.

In compliance with the request made by the Earl of Minto, I have laid this suggestion before the Secretary of State.

I have, &c.
(Signed) PAUNCEFOTE.

No. 4.

Lord Pauncefote to the Marquess of Salisbury.—(Received February 12.)

(No. 41.)

My Lord,

Washington, February 2, 1900.

WITH reference to my despatch No. 36 of the 30th ultimo on the subject of the delimitation of the provisional boundary-line between British Columbia and Alaska, I have the honour to report that I have received a note from Mr. Hay in which he informs me that he has already suggested to Mr. Tittman, the United States' Commissioner, that he place himself in direct communication with Mr. King with a view to early and harmonious action in the direction of the delimitation, and that Mr. Tittman states that he is in personal communication with Mr. King to that end.

I have communicated the substance of the above to the Earl of Minto.

I have, &c.
(Signed) PAUNCEFOTE.

No. 5.

Colonial Office to Foreign Office.—(Received February 15.)

Sir,

Downing Street, February 14, 1900.

WITH reference to your letter of the 15th December last and to previous correspondence as to the arrangements for the demarcation of the provisional boundary between Canada and the United States in the region of the Lynn Canal, I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of

Salisbury, copy of a despatch from the Governor-General of Canada, submitting the suggestion of his Ministers that the Commissioners appointed for the purpose by the Governments of Her Majesty and the United States should be placed in direct communication with each other.

2. Mr. Chamberlain proposes, with Lord Salisbury's concurrence, to inform Lord Minto that Her Majesty's Government have no objection to Mr. King's placing himself in direct communication with the United States' Commissioner, subject to the latter receiving similar authority from his Government, and he would suggest for his Lordship's consideration that Her Majesty's Ambassador should be instructed to suggest to the United States' Government that it would be convenient if they would grant such authority to their Commissioner.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure 1 in No. 5.

Governor-General the Earl of Minto to Mr. Chamberlain.

Sir, *Government House, Ottawa, January 27, 1900.*

I HAVE the honour to forward herewith, for the consideration of Her Majesty's Government, a copy of an approved Minute of the Privy Council for Canada representing that with a view to the avoidance of delay in delimiting the provisional boundary between the Province of British Columbia and the United States' Territory of Alaska, it would be advisable that the Commissioners appointed by Her Majesty and by the Government of the United States should be put into direct communication with one another.

I have, &c.
(Signed) MINTO.

Inclosure 2 in No. 5.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 23rd January, 1900.

ON a Report dated 29th December, 1899, from the Minister of the Interior, submitting, with reference to the appointment of Messrs. W. F. King and C. H. Tittmann, as Commissioners, on behalf of Her Majesty and the United States of America, respectively, for the delimitation of the provisional boundary line, agreed to on the 20th October, 1899, between the Province of British Columbia and the Territory of Alaska about the head of Lynn Canal, that it is important that the delimitation in question be proceeded with as soon as the season becomes favourable for carrying out the necessary surveying operations, and that, in order to avoid delay, it would be well that the two Commissioners be authorized to communicate directly with one another with a view to an early meeting to arrange preliminaries.

The Committee, on the recommendation of the Minister of the Interior, advise that your Excellency be moved to forward the substance of this Minute to the Right Honourable the Secretary of State for the Colonies, and to Her Majesty's Ambassador at Washington.

All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

No. 6.

Lord Pauncefote to the Marquess of Salisbury.—(Received February 19.)

(No. 47.)

My Lord,

Washington, February 6, 1900.

I HAVE the honour to report, for your Lordship's information, the following incident with regard to a demand on the part of the Canadian Government in connection with the surrender of one John Sarga, accused of murder in Canada.

The extradition was asked for, but in the meantime the fugitive returned to Victoria, British Columbia, and confessed the crime. It was necessary to try him in the Yukon district, where the murder was said to have been committed.

It was considered that too much delay and expense would be involved in sending the prisoner through the North-west Territories, and, consequently, at the instance of the Earl of Minto, I requested the United States' Government to consent to the prisoner being conveyed to the place of trial through the disputed territory by way of Skagway and Dyea. To this application Mr. Hay replied that such consent would not be given as no law of Congress gave to the President authority to grant such permission, and such permission could not prevent the Courts, upon the fugitive reaching American jurisdiction, from releasing him by writ of *habeas corpus*.

Having communicated this decision to the Earl of Minto, his Excellency replied that the consent his Ministers desired to obtain only extended to an assurance that, so far as the Government of the United States is concerned, no steps would be taken to secure the prisoner's release while he was being conveyed across, and that no objection would be made diplomatically on the ground of violation of territory.

To the representation in this direction, which I made to Mr. Hay, I received a reply to the effect that the obligation of the President towards United States' citizens prevented the United States' Government from complying with the request. Having, however, ascertained from the Earl of Minto that John Sarga was born and brought up in Greece, and had never been naturalized in this country, I renewed my representation to Mr. Hay, verbally, and I inquired whether his Government would be disposed to accede if the prisoner himself, to avoid the hardship of the longer journey, requested to be taken through the territory in question.

Mr. Hay finally stated that if the prisoner desired to be taken from Victoria to the Yukon country and to go in the company of an officer of the British police, no objection would be made by the Government of the United States, which would, however, disclaim in advance all responsibility for any action which might be taken by or on behalf of the prisoner during his transit. This arrangement was considered a suitable one, and the Earl of Minto now informs me that in pursuance of a suggestion of mine the prisoner's written consent to his transport through the route proposed has been obtained.

I have, &c.

(Signed) PAUNCEFOTE.

No. 7.

Colonial Office to Foreign Office.—(Received February 22.)

Sir,

Downing Street, February 21, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 14th instant, forwarding copies of two despatches from Her Majesty's Ambassador at Washington, dated the 30th January and 2nd February respectively, from the later of which it appears that the Commissioner appointed by the United States' Government for the demarcation of the Alaska provisional boundary is now in direct communication with the Commissioner appointed by Her Majesty's Government for the same purpose, and that the Canadian Government have been informed accordingly.

2. I am to transmit to you, for the information of the Marquess of Salisbury, copy of a despatch which has in these circumstances been addressed to the Governor-General of Canada in reply to the despatch of which a copy was inclosed in the letter from this Department of the 14th instant.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure in No. 7.

Mr. Chamberlain to Governor-General the Earl of Minto.

My Lord,

Downing Street, February 21, 1900.

I HAVE the honour to acknowledge the receipt of your despatch of the 27th ultimo, submitting the suggestion of your Ministers that the Commissioners appointed by the Governments of Her Majesty and the United States for the demarcation of the

Alaska provisional boundary should be placed in direct communication with each other.

2. Her Majesty's Ambassador at Washington has since the date of your despatch reported that the United States' Commissioner is now in direct communication with the British Commissioner, and that you have been informed accordingly. In these circumstances no further action would appear to be necessary.

I have, &c.
(Signed) J. CHAMBERLAIN.

No. 8.

Lord Pauncefote to the Marquess of Salisbury.—(Received March 9.)

(No. 63.)

My Lord,

Washington, February 23, 1900.

I HAVE the honour to transmit herewith a copy of a despatch I have received from the Earl of Minto, inclosing a Minute of the Privy Council of Canada, calling attention to the serious impediments placed upon traffic to the Yukon territory by way of Skagway by reason of the United States' Customs arrangements in force at that place. In compliance with the request of the Earl of Minto, I have brought the matter to the attention of the United States' Government with a view to the adoption of the course suggested by the Minister of Customs as shown in the Minute.

I have, &c.
(Signed) PAUNCEFOTE.

Inclosure 1 in No. 8.

Governor-General the Earl of Minto to Lord Pauncefote.

My Lord,

Government House, Ottawa, February 15, 1900.

I HAVE the honour to inclose herewith a copy of an approved Minute of the Privy Council for Canada, embodying a Report of my Minister of Customs, in which he calls attention to the serious impediments placed upon traffic to the Yukon territory by way of Skagway by reason of the United States' Customs arrangements in force at that place.

Your Excellency will observe that the Minister points out that the difficulty might be obviated by the designation of Skagway as a sub-port under the provisions of section 3005, Revised Statutes of the United States, pending a settlement of the Alaskan boundary question.

I should be obliged if your Excellency would have the goodness to bring this matter to the notice of the United States' authorities, with a view to the adoption of the course suggested by the Minister.

I have, &c.
(Signed) MINTO.

Inclosure 2 in No. 8.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 12th February, 1900.

ON a Memorandum dated the 7th February, 1900, from the Minister of Customs, recommending that the attention of the Secretary of the United States' Treasury be directed, through Her Majesty's Ambassador at Washington, to the propriety, in the interests of international commerce, of designating Skagway as a sub-port where merchandize destined for Canada may be entered for immediate transportation and exportation in bond without appraisement and without Consular certificates, as provided under section 3005, Revised Statutes of the United States, pending a settlement of the Alaskan boundary question.

The Minister desires to observe that goods of the United States arriving at Skagway and destined for the Klondike or points in Alaska below Dawson have been forwarded,

since the opening of the White Pass Railway in 1899, through the Yukon territory in Canada to Dawson under a "General" Bond, upon reports in "Manifest" form, describing the packages and marks thereon, without the production of invoices while the goods have been *in transitu*.

The Minister states that it is represented, however, that at Skagway Canadian goods arriving *in transitu* for the Yukon territory must be entered for warehouse, and then withdrawn from warehouse for transportation under the provisions of Articles 569 and 571 of United States' Treasury Regulations.

Under this system, the exact amount of duty on each consignment has to be definitely computed, and serious impediments are placed in the way of the traffic. Delays to shipments also occur through the opening of packages of woollens and other goods to ascertain their weight and the proper duty thereon. Such delays involve hardship in a country where rapidity of shipment is a necessity during the season when goods can be transported.

Shippers urge as fair and reasonable, in order to give proper convenience and dispatch to the shipment of goods through Alaska (without danger to United States' revenue), that the sub-port of Skagway be placed upon the same footing in respect of the immediate transportation in bond of merchandize destined for points in Canada, as the ports of Portland, Boston, New York, &c., by extending to Skagway the provisions of the Immediate Transportation Act, section 3005, Revised Statutes of the United States, as has been done recently in the case of Newport News and Swanton, as set forth in Treasury Circular No. 129 of the 27th October, 1899, a copy of which is hereto annexed for reference.

The Committee advise that your Excellency be moved to transmit a certified copy of this Minute to Her Majesty's Ambassador to the United States.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. McGEE,

Clerk of the Privy Council.

No. 9.

Lord Pauncefote to the Marquess of Salisbury.—(Received March 26.)

(No. 82.)

My Lord,

Washington, March 15, 1900.

I HAVE the honour to transmit herewith to your Lordship a Bill which has been introduced into the Senate by Mr. Carter, making provision for a Civil Government for Alaska, and which has been read twice and referred to the Committee on Territories.

I have sent a copy of this Bill to the Governor-General of Canada.

I have, &c.

(Signed)

PAUNCEFOTE.

No. 10.

Lord Pauncefote to the Marquess of Salisbury.—(Received March 26.)

(No. 83.)

My Lord,

Washington, March 15, 1900.

WITH reference to my despatch No. 327 of the 11th November, 1899, inclosing a note from the United States' Government, complaining of the presence in Skagway of two members of the North-west Mounted Police of Canada, I have the honour to transmit herewith copy of an approved Minute of the Canadian Privy Council, which I have received from the Governor-General.

It is to the effect that the Mounted Police will be immediately withdrawn, and also the Postal Agent, if so desired by the United States' Government, to whom I have communicated a copy of the Minute.

I have, &c.

(Signed)

PAUNCEFOTE.

Inclosure in No. 10.

Extract from a Report of the Committee of [the Honourable the Privy Council, approved by the Governor-General on the 2nd March, 1900.]

THE Committee of the Privy Council have had under consideration a despatch hereto annexed, dated the 11th November, 1899, from Her Majesty's Ambassador at Washington, transmitting copy of a communication from the Secretary of State of the United States in reply to the Minute of Council of the 27th October, 1899, copy of which is hereto annexed, for convenience of reference.

This communication, dated Washington, 10th November, 1899, expresses regret that the action of the Canadian Government hardly meets the objections stated in the previous despatch from the United States' Government of the 19th September, 1899, that the action of the Canadian Government relates to the uniform worn by the Mounted Police, and to the notice of the Commanding Officer posted in Skagway, whilst the objection advanced by the United States' Government was to the maintenance of Police or Military Agents at Skagway without the official recognition or authority of the United States' Government; and that if the intimation previously made that the objection might be obviated by the appointment of a Consular Officer does not meet the convenience of the British Government, the Secretary of State of the United States suggests that the services required of these Police Agents might be discharged by a British civilian.

The Minister of the Interior, to whom the said despatch was referred, states that all supplies for the winter have been forwarded, and navigation having closed, there is no longer necessity for a representative of the police at Skagway; that the Officer in Command has been instructed to withdraw him immediately, and, as far as possible, to avoid making purchases in Skagway or other business that would require the personal attention there of a member of the force.

The Minister further states that, with regard to the second Canadian official, who has been stationed at Skagway, viz., an officer of the Postal Department, he has ascertained that this official was detailed for duty at that place by mutual arrangement between the Postmasters-General of Canada and the United States; but the Postmaster-General of Canada, with whom he has consulted in the matter, informs him that Canadian interests will be served equally well by removing the postal official to Lake Bennett, and that his withdrawal would cast more duty upon the United States' Post Office authorities at Skagway.

If, however, the United States' Government desires this officer's removal from Skagway, the Postmaster-General will give the necessary instructions at once.

It occurs to him, however, that perhaps the United States' Government might prefer this officer remaining at Skagway until they have arranged for the carrying on of the postal work now being performed by him, and, therefore, he would be glad to be advised as to the date that would be desired for his withdrawal.

The Committee advise that your Excellency be moved to forward a certified copy of this Minute to Her Majesty's Ambassador at Washington, for the information of the United States' Government.

All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

No. 11.

Colonial Office to Foreign Office.—(Received April 11.)

Sir,

Downing Street, April 10, 1900.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from your Department of the 28th ultimo, a copy of a despatch to the Governor-General of Canada on the subject of the Bill which has been introduced into the United States' Senate to provide for the Civil Government of Alaska.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure in No. 11.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Confidential.)

Sir,

Downing Street, April 7, 1900.

CLAUSE 26 of the Bill "making further provision for a Civil Government for Alaska and for other purposes," now before the United States' Congress, extends to the district of Alaska, subject to a proviso, "the laws of the United States relating to mining claims, mineral locations, and rights incident thereto."

2. I have the honour to request that you will communicate to me any observations which your Ministers may have to offer on this clause and on the Bill generally.

3. The present Bill appears to be in substitution for that which formed the subject of the correspondence terminating with your Confidential despatch of the 4th April, 1899.

I have, &c.

(Signed) J. CHAMBERLAIN.

No. 12.

Lord Pauncefote to the Marquess of Salisbury.—(Received April 16.)

(No. 109.)

My Lord,

Washington, April 6, 1900.

WITH reference to my despatch No. 83 of the 15th ultimo, I have the honour to transmit copy of a note which I have received from Mr. Hay, from which it appears that the United States' Government have no objection to the presence of a Canadian postal agent at Skagway.

I have communicated the substance of Mr. Hay's note to the Earl of Minto.

I have, &c.

(Signed) PAUNCEFOTE.

Inclosure in No. 12.

Mr. Hay to Lord Pauncefote.

Excellency,

Department of State, Washington, April 4, 1900.

REFERRING to previous correspondence relating to the presence of members of the North-West Mounted Police of Canada at Skagway, I have the honour to acknowledge the receipt of your note of the 15th ultimo, stating that instructions have been given by the Canadian authorities for the immediate withdrawal of the representative of the police from the post in question.

With regard to that part of your note which relates to the presence of a British postal agent at Skagway, I beg to inform you that the matter having been referred to the Postmaster-General of the United States, an answer has been received from that officer, stating that a Canadian postal agent has been present at Skagway with the consent of the United States' Post Office Department since October, 1898, with the object of facilitating the transfer, at that point, of mails for and from the Yukon district, and that the Department sees no objection to his remaining.

I have, &c.

(Signed) JOHN HAY.

No. 13.

Lord Pauncefote to the Marquess of Salisbury.—(Received May 3.)

(No. 127.)

My Lord,

Washington, April 23, 1900.

IN connection with my despatch No. 82 of the 15th March, I have the honour to transmit a document which has been laid before the Senate by Senator Stewart, purporting to be a statement of facts regarding certain mining claims in Alaska.*

The question is connected with the Bill now before Congress for the civil government of Alaska.

Reference is made on pages 5 and 6 to the mining laws in Canada.

I have sent a copy of this paper to the Governor-General of Canada.

I have, &c.
(Signed) PAUNCEFOTE.

No. 14.

Colonial Office to Foreign Office.—(Received June 8.)

Sir,

Downing Street, June 7, 1900.

I AM directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, copy of a letter from Messrs. Pritchard and Sons, inquiring, in connection with an impending action at law, whether Fort Wrangell is in Alaska or in British Columbia.

2. Mr. Chamberlain proposes, if Lord Salisbury concurs, to reply to this letter in the terms of the accompanying draft.

3. I am to request the favour of an immediate reply.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure 1 in No. 14.

Messrs. Pritchard and Sons to Mr. Chamberlain.

Sir,

9, Gracechurch Street, London, June 5, 1900.

IN the action of *Morton v. Catton*, which will be tried in about a fortnight's time before the Queen's Bench Division of the High Court of Justice, a question has arisen and is in dispute whether Fort Wrangell is in British Columbia or in Alaska. We are interested in proving what we believe to be the fact, that it is not in British Columbia but in Alaska. We want, however, some authoritative evidence on this point, and should be obliged if you would inform us, in the first place, whether Fort Wrangell is outside British Columbia and in Alaska, in the second place, whether, upon receiving a subpoena, some officer of the Colonial Department would attend the Court and testify to this fact, and, thirdly, in whose name the subpoena ought to be made out.

As the matter somewhat presses, we should be obliged by as early an answer to this letter as you can favour us with.

We remain, &c.
(Signed) PRITCHARD AND SONS.

Inclosure 2 in No. 14.

Draft of Letter to Messrs. Pritchard and Sons.

Gentlemen,

Downing Street, June , 1900.

I AM directed by Mr. Secretary Chamberlain to state, in reply to your letter of the 5th instant, that as Fort Wrangell is situated on Wrangell Island and not on the mainland, there can be no question that, under the Treaty with Russia of 1825, it is in United States' territory.

It is considered possible that the foregoing statement may render it unnecessary for a member of this Department to appear in the impending action before the Queen's Bench Division to which you allude, but should this not be the case, I am to say that Mr. of this Department will accept a subpoena.

I am, &c.

No. 15.

Foreign Office to Colonial Office.

Sir,

Foreign Office, June 8, 1900.

I LAID before the Marquess of Salisbury your letter of the 7th instant, inclosing a letter from Messrs. Pritchard and Sons, inquiring whether Fort Wrangell is in Alaska or in British Columbia.

In reply, I am to state that Lord Salisbury concurs in the terms of the reply which Mr. Secretary Chamberlain proposes to return to this inquiry.

I am, &c.

(Signed) T. H. SANDERSON.

No. 16.

Lord Pauncefote to the Marquess of Salisbury.—(Received June 11.)

(No. 36.)

(Telegraphic.) P.

Washington, June 11, 1900.

WITH reference to my despatch No. 32 of the 15th March, I have the honour to state that the President to-day signed the Alaska Civil Government Bill.

Is there any objection to my submitting to the United States' Government the substance of a Report of the Canadian Secretary of State on the Bill, dated the 26th May, contained in a Minute of the Canadian Privy Council of the 29th May? The Governor-General, in forwarding the Minute to me, has requested me to do so.

The Minute has also been sent to the Secretary of State for the Colonies.

No. 17.

Foreign Office to Colonial Office.

Sir,

Foreign Office, June 12, 1900.

WITH reference to the letter from this Office of the 28th March last, I am directed by the Marquess of Salisbury to transmit to you the accompanying copy of a telegram from Her Majesty's Ambassador at Washington,* reporting that the Bill making provision for a Civil Government for Alaska was signed by the President to-day.

Lord Pauncefote states that he has received from the Governor-General of Canada a Minute containing a Report on this Bill, and asks whether the Report may be submitted to the United States' Government in accordance with the Governor-General's request.

I am to request you to move Mr. Secretary Chamberlain to inform Lord Salisbury what reply should be returned to Lord Pauncefote's inquiry.

I am, &c.

(Signed) F. H. VILLIERS.

No. 18.

Colonial Office to Foreign Office.—(Received June 14.)

Sir,

Downing Street, June 13, 1900.

IN reply to your letter of the 12th instant, I am directed by Mr. Secretary Chamberlain to state, for the information of the Marquess of Salisbury, that he has not yet received the Minute of the Dominion Privy Council on the subject of the Alaska Civil Government Bill which Lord Pauncefote has been requested by the Governor-General of Canada to lay before the United States' Government.

2. The Bill having already been signed by the President, it does not appear that anything would be gained by the immediate submission of the Minute to the United States' Government, and, in the circumstances, Mr. Chamberlain would prefer to wait

* No. 16.

No. 18*.

The Marquess of Salisbury to Lord Pauncefote.

(No. 57.)

(Telegraphic.) P.

Foreign Office, June 14, 1900.

WITH reference to your Excellency's telegram No. 36 of the 12th instant, I have to inform you that the Secretary of State for the Colonies desires to await the receipt of the Canadian Minute on the Alaska Civil Government Bill before he decides as to whether it should be communicated to the United States' Government.

until he has had an opportunity of perusing it before expressing an opinion as to the answer to be returned to the telegram from Lord Pauncefote inclosed in your letter under reply.

I am, &c.
(Signed) H. BERTRAM COX.

No. 19.

Colonial Office to Foreign Office.—(Received June 29.)

Sir,

Downing Street, June 28, 1900.

WITH reference to your letter of the 12th instant, and to the reply from this Department of the 13th instant, I am directed by Mr. Secretary Chamberlain to request you to inform the Marquess of Salisbury that he has now received from the Governor-General of Canada in a despatch, of which a copy is inclosed, the Minute of the Dominion Privy Council on the Civil Government of Alaska Bill, as to which Lord Pauncefote requested instructions in his telegram of the 12th instant.

2. Mr. Chamberlain would suggest that if Lord Salisbury should see no objection, Lord Pauncefote should now be authorized to communicate the substance of the Canadian Secretary of State's Report to the United States' Government.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure 1 in No. 19.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Confidential.)

Sir,

Government House, Ottawa, May 31, 1900.

MY Ministers have had under consideration your despatch marked Confidential of the 7th April last inviting their observations on the Bill introduced into the United States' Senate, "making further provision for a Civil Government for Alaska, and for other purposes," and I have now the honour to inclose herewith a copy of an approval Minute of the Privy Council, submitting a report of my Secretary of State giving expression to the views of this Government with regard to the Bill referred to.

I have transmitted a copy of this Minute to Her Majesty's Ambassador at Washington for communication to the United States' Government.

I have, &c.
(Signed) MINTO.

Inclosure 2 in No. 19.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 29th May, 1900.

THE Committee of the Privy Council have had under consideration a despatch marked "Confidential" hereto annexed, dated the 7th April, 1900, from the Right Honourable Mr. Chamberlain, Secretary of State for the Colonies, calling attention to section 26 of the Bill now before the United States' Congress, "making further provision for a Civil Government for Alaska, and for other purposes."

The Committee have also had under consideration a Report thereon dated the 26th May, 1900, from the Secretary of State, to whom the said despatch was referred.

The Committee concur in the said Report, and advise that your Excellency be moved to transmit certified copies of this Minute and of the said annexed Report to Her Majesty's Principal Secretary of State for the Colonies, and to Her Majesty's Ambassador to the United States.

All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

Inclosure 3 in No. 19.

Minute dated May 26, 1900.

To his Excellency the Governor-General in Council :

THE Secretary of State has had under consideration the Confidential communication from the Right Honourable Mr. Chamberlain to your Excellency, under date the 7th April, 1900, calling attention to section 26 of the Bill now before the United States' Congress "making further provision for a Civil Government for Alaska and for other purposes."

Section 26 reads as follows :—

"The laws of the United States relating to mining claims, mineral locations, and rights incident thereto, are hereby extended to the district of Alaska. Provided all citizens of the United States, or persons who had, prior to their location, legally declared their intention to become such and are otherwise legally qualified, who have heretofore located mining claims in the district in conformity with the laws of the United States applicable to the public domain, shall be allowed to perfect titles to such claims by complying with the mining laws of the United States."

The effect of that section, even if adopted, practically makes no change in the mining laws of the United States as they affect the people of Canada. This statement will be better understood by a reference to the several Statutes passed from time to time by Congress.

Section 2319 of chapter 6, Revised Statutes of the United States, reads as follows :—

"All valuable mineral deposits in lands belonging to the United States, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and purchase, and the lands in which they are found to occupation and purchase, by citizens of the United States and those who have declared their intention to become such, under Regulations prescribed by law and according to the local customs or Rules of miners in the several mining districts, so far as the same are applicable and not inconsistent with the laws of the United States."

In view, however, of the policy of the Government of Canada in granting to American citizens equal privileges to British subjects in the acquisition of mineral lands and mining rights in the Yukon territory, Congress, on the 14th May, 1898, approved the following clause, being section 13 in the "Act extending the Homestead Laws to the district of Alaska" :—

Section 13 : "That native-born citizens of the Dominion of Canada shall be accorded in said district of Alaska the same mining rights and privileges accorded to citizens of the United States in British Columbia and the North-West Territory by the laws of the Dominion of Canada, or the local laws, Rules, and Regulations ; but no greater rights shall be thus accorded than citizens of the United States or persons who have declared their intention to become such may enjoy in said district of Alaska ; and the Secretary of the Interior shall from time to time promulgate and enforce Rules and Regulations to carry this provision into effect."

When enacting that clause Congress evinced a desire to extend to native-born Canadians mining rights in Alaska similar to those enjoyed by American citizens in the Yukon territory ; but as the system in Canada in the placer mining districts of the Yukon is to grant mining licences renewable from year to year, and the practice in the United States is to grant the land in fee, and as the dimensions of mining claims in the one country are not equal to the area in the other country, the officials in Alaska have taken advantage of the technical difference between the mining laws in Alaska and the British Yukon to nullify section 13 referred to, the contention of American officials being that the Canadian laws relating to the acquisition of mining rights must first conform to the American Statutes before native-born Canadians can take up mining claims in Alaska, and on this flimsy and questionable pretext have denied to Canadian miners the benefit of section 13 in the Alaska Homestead Act.

That this interpretation has been sustained by the authorities of the United States is evidenced by the following extract contained in an official pamphlet issued by the Land Office at Washington approved the 24th June, 1899 :—

"Section 13, Act of the 14th May, 1898, according to native-born citizens of Canada 'the same mining rights and privileges' accorded to citizens of the United States in British Columbia and the North-West Territory, by the laws of the Dominion of Canada, is not now, and never has been, operative, for the reason that the only

mining rights and privileges granted to any person by the laws of the Dominion of Canada are those of leasing mineral lands upon the payment of a stated royalty, and the mining laws of the United States make no provision for such leases." (See p. 36.)

In forming their conclusions on the mining laws of Canada the American authorities have not interpreted these laws correctly. It is quite true that the placer mines on the tributaries of the Yukon are granted only by licences renewable year by year; but quartz mines of gold and silver are granted by patent in 50-acre blocks, and in the case of copper, iron, mica, &c., in blocks of 160 acres. The essential element for consideration, however, is that American citizens have equal rights and privileges with British subjects in acquiring mining lands either by Crown patent or by licence where the Regulations provide for the latter mode. And while the mining laws of the several provinces of the Dominion differ in details, yet in all the provinces there is no discrimination whatever against American citizens in the purchase of mining property; they stand on the same plane as Canadians; and in all the provinces, but particularly in British Columbia, American citizens hold large and valuable areas. The only occasion when any discrimination was shown occurred in 1899, when the Legislature of British Columbia reserved the Atlin Lake District for British subjects. Public opinion had forced this action on the province owing to the refusal of the American authorities to allow Canadians to take up mining claims in the adjoining territory of Alaska.

The British Columbian Act discriminating against aliens was disallowed by the Federal Government at Ottawa, and the citizens of the United States have now in all parts of the Dominion the right to acquire mining lands or licences under Regulations affecting all persons equally, whether the applicants are British subjects or aliens.

In the opinion of the Secretary of State it is desirable that the Government at Washington should be advised of the policy prevailing in Canada on the subject of mining lands. He, therefore, recommends that, if this Minute be approved, that your Excellency be moved to transmit a copy to the Right Honourable Mr. Chamberlain and also a copy to Her Majesty's Ambassador at Washington, for the information of the Government of the United States.

All of which is respectfully submitted.

(Signed)

R. W. SCOTT, *Secretary of State.*

May 26, 1900.

No. 20.

Lord Pauncefote to the Marquess of Salisbury.—(Received July 2.)

(No. 177.)

My Lord,

Washington, June 16, 1900.

WITH reference to my despatch No. 82 of the 15th March, I have the honour to transmit herewith a copy of the Act making provision for a Civil Government for Alaska,* which has passed Congress and received the approval of the President of the United States.

I have, &c.

(Signed) PAUNCEFOTE.

No. 21.

The Marquess of Salisbury to Lord Pauncefote.

(No. 83.)

(Telegraphic.) P.

Foreign Office, July 2, 1900.

ALASKA Bill.

With reference to my telegram No. 57 of the 14th ultimo, you may communicate to the United States' Government the substance of the Canadian Secretary of State's Report of the 26th May.

No. 22.

Lord Pauncefote to the Marquess of Salisbury.—(Received July 16.)

(No. 189.)

My Lord,

Newport, Rhode Island, July 6, 1900.

WITH reference to your Lordship's telegram No. 83 of the 2nd instant, I have the honour to report that I have addressed a note to Mr. Hay, giving the substance of the Minute of the Privy Council of Canada, marked 186 L, and which is intended to remove the misapprehension which, in the opinion of the Canadian Government, appears to exist on the part of the United States' authorities with regard to the effect of the Canadian mining laws.

I have, &c.
(Signed) PAUNCEFOTE.

No. 23.

*Fourth Congress of Chambers of Commerce of the Empire to the Marquess of Salisbury.—
(Received August 1.)*

Your Lordship,

Botolph House, Eastcheap, London, July 31, 1900.

WE have the honour to transmit to you the following Resolution on the subject of the Alaska boundary, which Resolution was unanimously passed at the above Congress:—

“That it is of vital importance to British and Canadian trade on the Pacific Coast to press forward a settlement of the Alaska boundary question; and this Congress, while recognizing the endeavours of Her Majesty's Government to effect an adjustment, would urge the desirability of renewed efforts in order to accomplish that object.”

The Congress respectfully submits that as this matter has been under the consideration of Her Majesty's Government for such a considerable time, and as the difficulties of effecting an arrangement are increasing with the delay, that the time has arrived when a strenuous effort should be made to settle by international arbitration this question which so seriously affects the interests not only of the Dominion of Canada and British Columbia, but of the whole British Empire.

We have, &c.
(Signed) ALBERT G. SANDEMAN,
President.
KENRIC B. MURRAY,
Secretary.

No. 24.

Lord Pauncefote to the Marquess of Salisbury.—(Received August 13.)

(No. 210.)

My Lord,

Newport, Rhode Island, August 3, 1900.

I HAVE the honour to report that I have received a despatch from the Deputy of the Governor-General of Canada, inclosing a Petition from certain Indians calling attention to the demarcation of the provisional boundary-line between Alaska and Canada now being marked out by the International Boundary Commission, and complaining that the boundary-line will unduly restrict their trade and avocations.

The Deputy of the Governor-General invited me to bring this subject to the notice of the Government of Washington with a view to instructions being given to customs officers on either side to exercise more than ordinary care and discretion in their treatment of the Indians, allowing them some degree of latitude while impressing on them that the custom duties would be exacted on all articles crossing the line and intended for sale.

These suggestions are made in order to minimize the dangers that may arise from carrying out the custom law on either side in as rigid and strict a manner as is usual elsewhere, and the Canadian Government is anxious to elicit the opinion of the United States' Government upon them.

I have consequently addressed a note, copy of which is herewith inclosed, to Mr. Hay, embodying the suggestions of the Government of Canada with regard to the complaint in question, and I trust that this action on my part may meet with your Lordship's approval.

I have, &c.
(Signed) PAUNCEFOTE.

Inclosure 1 in No. 24.

Lord Pauncefote to Mr. Hay.

Sir, *Newport, Rhode Island, July 31, 1900.*

THE Government of Canada has received a Petition, copy of which I have the honour to inclose, from the Indians occupying the territory in the vicinity of the Chilcat River north of the Lynn Canal, calling attention to the demarcation of the provisional boundary-line between Alaska and Canada now being marked out by the International Boundary Commissioners, and complaining that the boundary-line will unduly restrict their trade and avocations.

A similar Memorial has also been addressed to the President of the United States.

Mr. W. F. King, the British Delegate on the Boundary Commission, has addressed a report to the Dominion Government referring to the complaints of the Indians, copy of which is also inclosed.

It may be assumed that the substantial ground for the dissatisfaction expressed by the Indians to the location of the provisional boundary-line is due to the fear that custom-houses will be established on each side of the line, and while their establishment cannot be well postponed, the Dominion Government is of opinion that it may be worthy of consideration whether some degree of freedom to pass and repass might not be permitted to the Indians—at least for a time.

The Indians in the vicinity are represented as being dangerous and vindictive, and the Dominion Government suggest that it might be advisable to instruct the Customs officers on each side to exercise more than ordinary care and discretion in their treatment of the Indians, allowing them some degree of latitude, while impressing on them that customs duties would be exacted on all articles crossing the line and intended for sale.

The Dominion of Canada desire me to submit these suggestions, for the consideration of the United States' Government in order to minimize the dangers that may arise from carrying out the customs laws on either side in so rigid and strict a manner as is usual in civilized countries, and to express to you their desire to be favoured with any opinions thereon that your Government may desire to express.

I have, &c.
(Signed) PAUNCEFOTE.

Inclosure 2 in No. 24.

Petition from Indians resident in the Chilcat River.

WE, the Undersigned, representing the Indians living on the Chilcat River, submit that we are dependent for our living on hunting, fishing, and trading above the provisional boundary-line just established, which crosses the Chilcat River a little above our village of Klukwan. We have enjoyed these privileges from time immemorial free from the restrictions and charges imposed by custom-houses, and further, our trade with the interior Indians has been of the greatest importance to us. The boundary-line, which comes so close to our ancient Settlement, shuts us up in a small portion of the valley of which we have had so long the undisputed use, and will, we fear, unduly restrict us in our trade and avocations.

We therefore request that our former rights and privileges be guaranteed to us, and in that hope we address this Petition to the Government of the United States and Canada.

(Signed)

YALKAWK, his X mark.

GEORGE SHOTRIDGE, ditto.

Witnesses :

(Signed)

W. F. KING.

H. TITLMANN.

*International Boundary Commission, Klukwan,
Alaska, June 20, 1900.*

To his Excellency the Governor-General of Canada,
Ottawa.

Inclosure 3 in No. 24.

Mr. King to the Minister of the Interior, Ottawa.

*International Boundary Commission, Camp opposite Klukwan,
Alaska, June 21, 1900.*

Sir,

I HAVE the honour to inform you that the actual demarcation of the provisional boundary-line was begun by Mr. Titlmann, the United States' Commissioner, and myself on the 13th instant, when we visited together the junction of the Chilcat and Klehini River and agreed upon a point on the high bank opposite to the junction.

At this point a straight line was laid off in the direction of the peak 5,490 feet in height behind the Indian village of Klukwan. During the following days our axemen were employed in cutting out this line through the heavy timber to the east of the Chilcat and on the lower slopes of the mountains.

The Indians of the Chilcat Valley, when they found out what was being done, held a meeting, as I am informed, and resolved to protest against the establishment of the boundary-line, and yesterday a deputation headed by Yalkawk and George Shotridge, two of the three head Chiefs of the tribe, visited our camp opposite Klukwan, and requested an interview with the Commissioners. Mr. Titlmann and I accordingly met them and talked matters over with them.

They presented their case with much ability, the principal points of their claim being that they were a nation who had occupied the Chilcat Valley from time immemorial; that they had disputed the right of the two Governments to partition the valley without their consent; that in particular the present line was a hardship in that it cut them off from their hunting and trading grounds; that they would be impoverished if a custom-house were established here, and that they feared that undue restrictions (over and above the charges for customs) would be placed on their coming and going across the line.

Their remarks being mainly directed to me as Canadian Representative, I told them that the line had been agreed to between the two Governments and must stand, but that the Canadian Government desired to deal justly with them as with the white man, and that they need not fear unreasonable restrictions upon their ordinary travel to and fro. I promised to inform my Government of what they said. It was then suggested that they present their case in writing, and they thereupon asked us (the Commissioners) to draw up a Petition embodying their protest. This we accordingly made in duplicate, addressed to the President of the United States, and to the Governor-General. These Petitions were signed by the two Chiefs present and have been forwarded by mail.

I have, &c.

(Signed)

W. F. KING,

International Boundary Commissioner.

No. 25.

Foreign Office to Colonial Office.

Sir,

Foreign Office, August 17, 1900.

I AM directed by the Marquess of Salisbury to transmit to you, to be laid before the Secretary of State for the Colonies, copy of a despatch from Her Majesty's Ambassador at Washington,* respecting a Petition from certain Indians, who represent that the provisional boundary line between Alaska and Canada, now in course of demarcation, will unduly restrict their trade and avocations.

Lord Pauncefote incloses a copy of a note which he has addressed to the United States' Government on the subject, and Lord Salisbury proposes, with Mr. Secretary Chamberlain's concurrence, to approve his Excellency's action in the matter.

I am, &c.

(Signed) T. H. SANDERSON.

No. 26.

Colonial Office to Foreign Office.—(Received August 18.)

Sir,

Downing Street, August 18, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 9th instant, forwarding a copy of a letter on the subject of the Alaska boundary from the President and Secretary of the 4th Congress of Chambers of Commerce of the Empire.

2. Mr. Chamberlain would suggest, for the consideration of the Marquess of Salisbury, that it would be sufficient to acknowledge the receipt of the letter in question.

I am, &c.

(Signed) H. BERTRAM COX.

No. 27.

Colonial Office to Foreign Office.—(Received August 29.)

Sir,

Downing Street, August 28, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 17th instant, transmitting copy of a despatch from Her Majesty's Ambassador at Washington, on the subject of the Petition of certain Indians with regard to the provisional Alaskan boundary.

Mr. Chamberlain concurs in the Marquess of Salisbury's proposal to approve of his Excellency's action in the matter.

I am, &c.

(Signed) H. BERTRAM COX.

No. 28.

The Marquess of Salisbury to Lord Pauncefote.

(No. 202.)

My Lord,

Foreign Office, August 30, 1900.

I HAVE received and referred to Her Majesty's Secretary of State for the Colonies your Excellency's despatch No. 210 of the 3rd instant, inclosing a Petition from certain Indians, in which they complain that the provisional boundary-line between Alaska and Canada will unduly restrict their trade and avocations.

I approve the terms of the note which your Excellency addressed to the United States' Government on the subject.

I am, &c.

(Signed) SALISBURY.

No. 29.

Lord Pauncefote to the Marquess of Salisbury.—(Received September 13.)

(No. 233.)

My Lord,

Newport, Rhode Island, September 4, 1900.

IN my despatch No. 210 of the 3rd August I forwarded to your Lordship a copy of a note which, at the instance of the Canadian Government, I had addressed to the United States' Government respecting the complaints of the Chilkat Indians that the effect of the Alaskan *modus vivendi* will be to unduly restrict their trade and avocations.

I have the honour to inclose copy of the reply which I have received from the Acting Secretary of State.

I have forwarded a copy of this note to Mr. Taschereau, requesting to be informed whether such an arrangement proposed by Mr. Adee would meet the views of the Dominion Government.

In the event of his reply being in the affirmative, I shall await your Lordship's instructions before proceeding with the arrangement.

I have, &c.
(Signed) PAUNCEFOTE.

Inclosure in No. 29.

Mr. Adee to Lord Pauncefote.

Excellency,

Department of State, Washington, September 1, 1900.

I HAVE the honour to acknowledge the receipt of your note of the 31st July last, with reference to the effect of the Alaskan *modus vivendi* on the privileges heretofore enjoyed by the Chilkat Indians. The *modus vivendi* provides: "That the citizens or subjects of either Power, found by this arrangement within the temporary jurisdiction of the other, shall suffer no diminution of the rights and privileges which they now enjoy." Under this provision no reason is perceived why the Chilkat Indians should be more rigidly treated in so far as relates to matters of revenue than they are at present, at least not until the boundary-line shall have been permanently established, and the migratory Indians acquire some domiciliary status on either side of the line.

After consultation with the Secretary of the Treasury, I shall be pleased to effect with you an arrangement whereby the Indians on both sides of the provisional line shall receive the same treatment and enjoy the same privileges as heretofore. Such an arrangement could be effected by mere exchange of notes, and, while entirely within the purview of the existing *modus*, would go far to meet the views expressed in your note under acknowledgment.

I have, &c.
(Signed) A. A. ADEE,
Acting Secretary.

No. 30.

Foreign Office to Colonial Office.

Sir,

Foreign Office, September 19, 1900.

WITH reference to my letter of the 17th August and to your answer of the 28th August, I am directed by the Marquess of Salisbury to transmit to you herewith copy of a despatch from Her Majesty's Ambassador at Washington,* inclosing the reply of the United States' Government to the note addressed to them by his Excellency on the 31st July, at the instance of the Dominion Government, with regard to the complaints of the Chilkat Indians, that the effect of the Alaska Boundary *modus vivendi* will be unduly to restrict their trade and avocations.

The United States' Government suggest that an arrangement might be made by which the Indians on both sides of the provisional line would receive the same treatment and enjoy the same privileges as hitherto.

* No. 29.

Lord Salisbury notes that Her Majesty's Ambassador is taking steps to ascertain the views of the Dominion Government on this proposal, and I am to inquire whether, in the event of its meeting with the approval of the Canadian authorities, Mr. Secretary Chamberlain would wish instructions sent to Her Majesty's Ambassador to proceed with the arrangement.

I am, &c.
(Signed) F. H. VILLIERS.

No. 31.

Colonial Office to Foreign Office.—(Received September 25.)

Sir, *Downing Street, September 24, 1900.*

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 19th instant, with its inclosures, on the subject of the complaint recently made by the Chilkat Indians as to the effect of the Alaskan boundary *modus vivendi*.

2. If the arrangement proposed by the United States' Government in the matter meets with the approval of the Canadian Government, Mr. Chamberlain thinks that it would be clearly of advantage that Her Majesty's Ambassador should have power to proceed with it, and he will be obliged if the Marquess of Salisbury will instruct Lord Pauncefote accordingly.

I am, &c.
(Signed) C. P. LUCAS.

No. 32.

The Marquess of Salisbury to Lord Pauncefote.

(No. 222.)

My Lord,

Foreign Office, October 3, 1900.

I HAVE received your Excellency's despatch No. 233 of the 4th ultimo, in which you forwarded copy of a note from the United States' Government, suggesting, with reference to the complaints of the Chilkat Indians as to the effect of the Alaskan boundary *modus vivendi*, that an arrangement might be made by which the Indians on both sides of the provisional line should receive the same treatment and enjoy the same privileges as hitherto.

With the concurrence of the Secretary of State for the Colonies, I have now to request your Excellency to proceed with the proposed arrangement in the event of its meeting with the approval of the Dominion Government.

I am, &c.
(Signed) SALISBURY.



Printed for the use of the Foreign Office. April 1903.

CONFIDENTIAL.

(.)

PART XIII.

FURTHER CORRESPONDENCE

RESPECTING THE

BOUNDARY

BETWEEN THE

BRITISH POSSESSIONS IN NORTH AMERICA
AND THE TERRITORY OF ALASKA.

1901.

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CONFIDENTIAL.

Further Correspondence respecting the Boundary between the
British Possessions in North America and the Territory
of Alaska.

PART XIII.

No. 1.

Colonial Office to Foreign Office.—(Received February 15.)

THE Under-Secretary of State for the Colonies presents his compliments to the Under-Secretary of State for Foreign Affairs, and is directed by the Secretary of State to transmit, for the information of the Marquess of Lansdowne, with reference to the letter from the Colonial Department of the 24th September, 1900, a copy of a despatch from the Governor-General of Canada, with inclosures, on the subject of the Petition of the Chilkat Indians with respect to the provisional Alaskan boundary.

Downing Street, February 14, 1901.

Inclosure 1 in No. 1.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Confidential.)

Sir,

Government House, Ottawa, January 11, 1901.

WITH reference to your despatch of the 28th August last, marked Confidential, regarding the Petition of the Chilkat Indians with respect to the provisional Alaskan boundary, I have the honour to forward herewith, for your information, a copy of a despatch which I have addressed to Her Majesty's Ambassador to the United States, communicating the observations of my Ministers upon the proposal of the United States' Government for allowing these Indians unrestricted freedom of passage across the provisional boundary-line.

Copies of Lord Pauncefote's despatches conveying particulars of the United States' proposal I have the honour also to inclose herewith.

I have, &c.
(Signed) MINTO.

Inclosure 2 in No. 1.

Governor-General the Earl of Minto to Lord Pauncefote.

My Lord,

Government House, Ottawa, January 11, 1901.

MY Ministers have had under consideration your Excellency's despatches of the 14th September last and of the 16th October last, relative to an arrangement proposed by the United States' Government for continuing to the Chilkat Indians on both sides of the provisional Alaska boundary the privileges heretofore enjoyed by them—as well as a despatch from the Secretary of State for the Colonies, marked Confidential, of the 28th August last; and I have the honour to inclose, for your Excellency's information, a copy of an approved Minute of the Privy Council for Canada to which copy of

Mr. Chamberlain's despatch is attached, embodying the observations of the Government upon this proposal.

Your Excellency will observe that my Minister of the Interior points out that the United States' proposal is based upon the assumption that the Indians in question have not acquired a domiciliary status on either side of the boundary-line, while the fact appears to be that on the United States' side of the line they are established as United States' subjects, Ministers therefore cannot see their way, consistently with the due enforcement of the Customs laws, to concede to these Indians an unrestricted right of free passage across the boundary-line; but they are willing to instruct Customs officers in the district referred to to pass free the canoes used by Indians, their peltries and other usual effects, and to interpret this instruction in as liberal a manner as the necessity of preventing frauds upon the revenue will permit.

Your Excellency will observe, further, that this Government would not bind itself to continue this privilege for a longer time than two years from the present date, and suggests that a reciprocal concession as regards Canadian Indians be made by the United States' Government.

I have, &c.
(Signed) MINTO.

Inclosure 3 in No. 1.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 5th January, 1901.

THE Committee of the Privy Council have had under consideration a Colonial Office despatch, hereto annexed, dated August 1900, and marked Confidential; also two other despatches, hereto attached, dated respectively the 4th September, 1900, and the 16th October, 1900, from Her Majesty's Ambassador to the United States, all covering copies of correspondence with the United States' Department of State relative to the Petition of the Klukwan Indians, that they be allowed unrestricted passage over the provisional boundary-line in the Chilkat region.

The Minister of the Interior, to whom the said matter was referred, observes that the remark of the Acting Secretary of State of the United States, in his letter of the 1st September to Her Majesty's Ambassador to the United States, that he sees no reason under the "rights and privileges" clause of the *modus vivendi* why the Chilkat Indians should be more rigidly treated in so far as relates to matters of revenue than they are at present, is based upon the assumption that these Indians are migratory and have not acquired a domiciliary status on either side of the line, whereas the facts appear to be that they are United States' subjects living in permanent houses on the United States' side of the provisional line.

The Minister states that, in consequence of this, there could be no valid claim by these Indians as of right under the *modus vivendi* of October 1899 for different treatment from other persons found in the provisional jurisdiction of the United States, and the clause of the *modus vivendi* relating to rights and privileges does not release such persons from the operation of the Customs Laws, seeing that the *modus vivendi* presumes, by its specific relaxation of the Customs Laws of Canada in certain cases, that they will remain in force in general.

That, moreover, the granting of an unrestricted right to Indians of free passage across the line would inevitably result in the abuse of the privilege by white men to the detriment of the revenue.

Although the trade with the interior by the Chilkat River route is now of too small consequence to render it a matter of importance whether duties are collected or not, yet there are prospects of a great increase in that respect in a short time.

The Minister having in view the possible hardship to individual Indians which might be caused by a rigid enforcement of the Customs Laws and the desirability of securing harmonious acquiescence in the administration of the law, recommends (following nearly a former provision of the United States' Tariff Law) that the Customs officers in that district be instructed to pass free the canoes in use by Indians and peltries and other of their usual effects (not being goods in bales or other packages unusual among Indians engaged in hunting or fishing) and that they be further instructed to give this provision as liberal a construction as possible consistent with the prevention of fraud upon the revenue.

The Committee advise that your Excellency be moved to transmit the substance of this Minute to Her Majesty's Ambassador to the United States, as representing the views and intentions of the Government of Canada, with a proviso that this Government does not bind itself to continue this privilege to Indians for a longer time than two years from the present date, and suggesting that the United States make a reciprocal concession as regards Canadian Indians.

All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

Inclosure 4 in No. 1.

Lord Pauncefote to Deputy Governor-General Taschereau.

Sir, *Newport, Rhode Island, September 4, 1900.*

ON receipt of your despatch of the 27th July, I addressed a note to the United States' Government respecting the complaint of the Chilkat Indians that the effect of the Alaska *modus vivendi* will be to restrict their trade and avocations.

I have now the honour to inclose copy of the reply I have received from the Acting Secretary of State, who says that he is prepared to enter into an arrangement whereby the Indians on both sides of the provisional line shall receive the same treatment and enjoy the same privileges as heretofore.

I should be much obliged if you would inform me whether such an arrangement would meet the views of the Canadian Government.

I have, &c.
(Signed) PAUNCEFOTE.

Inclosure 5 in No. 1.

Mr. Adee to Lord Pauncefote.

Excellency, *Department of State, Washington, September 1, 1900.*

I HAVE the honour to acknowledge the receipt of your note of July last, with reference to the effect of the Alaskan *modus vivendi* on the privileges heretofore enjoyed by the Chilkat Indians.

The *modus vivendi* provides "that the citizens or subjects of either Power, found by this arrangement within the temporary jurisdiction of the other shall suffer no diminution of the rights and privileges which they now enjoy." Under this provision no reason is perceived why the Chilkat Indians should be more rigidly treated in so far as relates to matters of revenue than they are at present, at least not until the boundary-line shall have been permanently established, and the migratory Indians acquire some domiciliary status on either side of the line.

After consultation with the Secretary of the Treasury, I shall be pleased to effect with you an arrangement whereby the Indians on both sides of the provisional line shall receive the same treatment and enjoy the same privileges as heretofore. Such an arrangement could be effected by mere exchange of notes, and, while entirely within the purview of the existing *modus*, would go far to meet the views expressed in your note under acknowledgment.

I have, &c.
(Signed) A. A. ADEE, *Acting Secretary.*

Inclosure 6 in No. 1.

Lord Pauncefote to Governor-General the Earl of Minto.

My Lord, *Newport, Rhode Island, October 16, 1900.*

ON the 4th ultimo I had the honour to address to the Honourable H. E. Taschereau a despatch forwarding a copy of a note which I had received from the Acting Secretary of State of the United States, expressing the willingness of his Government to enter into any arrangement whereby the Indians on both sides of the provisional boundary-line between British territory and Alaska should receive the same treatment and enjoy the same privileges as heretofore, and to inquire whether this arrangement would meet the views of the Canadian Government.

I have now the honour to inform your Excellency that I have received a despatch from the Marquess of Salisbury, to whom a copy of Mr. Adee's note was also forwarded, instructing me, with the concurrence of the Secretary of State for the Colonies, to proceed with the proposed arrangement in the event of its meeting with the approval of the Dominion Government.

I have accordingly the honour to request your Excellency to favour me with your wishes on the subject at your earliest convenience.

I have, &c.
(Signed) PAUNCEFOTE.

Inclosure 7 in No. 1.

Lord Pauncefote to Deputy Governor-General Taschereau.

Sir,

Newport, Rhode Island, September 4, 1900.

ON receipt of your despatch of the 27th July, I addressed a note to the United States' Government respecting the complaint of the Chilkat Indians that the effect of the Alaskan *modus vivendi* will be to restrict their trade and avocations.

I have now the honour to inclose copy of the reply I have received from the Acting Secretary of State, who says that he is prepared to enter into an arrangement whereby the Indians on both sides of the provisional line shall receive the same treatment and enjoy the same privileges as heretofore.

I should be much obliged if you would inform me whether such an arrangement would meet the views of the Canadian Government.

I have, &c.
(Signed) PAUNCEFOTE.

Inclosure 8 in No. 1.

Mr. Adee to Lord Pauncefote.

Excellency,

Department of State, Washington, September 1, 1900.

I HAVE the honour to acknowledge the receipt of your note of the 31st July last, with reference to the effect of the Alaskan *modus vivendi* on the privileges heretofore enjoyed by the Chilkat Indians. The *modus vivendi* provides "that the citizens or subjects of either Power, found by this arrangement within the temporary jurisdiction of the other, shall suffer no diminution of the rights and privileges which they now enjoy." Under this provision, no reason is perceived why the Chilkat Indians should be more rigidly treated, in so far as relates to matters of revenue, than they are at present; at least, not until the boundary-line shall have been permanently established, and the migratory Indians acquire some domiciliary status on either side of the line.

After consultation with the Secretary of the Treasury, I shall be pleased to effect with you an arrangement whereby the Indians on both sides of the provisional line shall receive the same treatment and enjoy the same privileges as heretofore. Such an arrangement would be effected by mere exchange of notes, and, while entirely within the purview of the existing *modus vivendi*, would go far to meet the views expressed in your note under acknowledgment.

I have, &c.
(Signed) A. A. ADEE, *Acting Secretary.*

Inclosure 9 in No. 1.

Lord Pauncefote to Governor-General the Earl of Minto.

My Lord,

Newport, Rhode Island, October 16, 1900.

ON the 4th ultimo I had the honour to address to the Honourable H. E. Taschereau a despatch forwarding a copy of a note which I had received from the Acting Secretary of State of the United States expressing the willingness of his Government to enter into an arrangement whereby the Indians on both sides of the provisional boundary-line between British territory and Alaska should receive the same treatment and enjoy the same privileges as heretofore, and to inquire whether this arrangement would meet the views of the Canadian Government.

I have now the honour to inform your Excellency that I have received a despatch from the Marquess of Salisbury, to whom a copy of Mr. Adee's note was also forwarded, instructing me, with the concurrence of the Secretary of State for the Colonies, to proceed with the proposed arrangement in the event of its meeting with the approval of the Dominion Government.

I have accordingly the honour to request your Excellency to favour me with your wishes on the subject at your earliest convenience.

I have, &c.
(Signed) PAUNCEFOTE.

No. 2.

Colonial Office to Foreign Office.—(Received March 8.)

(Confidential.)

Sir,

Downing Street, March 7, 1901.

I AM directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Lansdowne, copy of a despatch from the Governor-General of Canada, forwarding copy of an approved Minute of the Dominion Privy Council containing the observations of his Ministers on the note from the United States' Ambassador at this Court, respecting the Alaska boundary question, of which a copy was inclosed in your letter of the 27th January, 1900.

2. The Minute of the Dominion Privy Council will supply Lord Lansdowne with the material for an answer to Mr. Choate's note.

3. It is requested that the map inclosed in Lord Minto's despatch, which is sent in original, may be returned when done with.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure 1 in No. 2.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Secret.)

Sir,

Government House, Ottawa, December 18, 1900.

MY Ministers have had under consideration your Secret despatch of the 12th February last, inclosing copy of a despatch from the United States' Ambassador at the Court of St. James' as to the terms on which the Alaska boundary question should be referred to arbitration, and I have now the honour to forward herewith a copy of an approved Minute of the Privy Council submitting a Memorandum from my Minister of Marine and Fisheries expressing the views of the Government in regard to this matter.

I have, &c.
(Signed) MINTO.

Inclosure 2 in No. 2.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 6th December, 1900.

THE Committee of the Privy Council have had under consideration a despatch, hereto annexed, marked Secret, dated the 12th February, 1900, from the Right Honourable Mr. Chamberlain, Secretary of State for the Colonies, transmitting copy of a note from the United States' Ambassador at the Court of St. James', as to the terms on which the Alaska boundary question should be referred to arbitration.

The Committee have also had under consideration a Report, hereto attached, upon the above-mentioned despatch, by the Honourable Sir Louis Davies, to whom the matter in question was referred.

The Committee concur in the said Report of Sir Louis Davies and advise that your Excellency be moved to transmit a certified copy of this Minute, and the said annexed Report to the Right Honourable Her Majesty's Principal Secretary of State for the Colonies.

All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

To his Excellency the Governor-General in Council :

THE Undersigned, to whom was referred the despatch of the United States' Ambassador to the Marquess of Salisbury, dated the 22nd January, 1900, has the honour to express the satisfaction with which your Excellency's advisers have received Mr. Choate's assurance that his Government is not averse to a reference of the main difference between Great Britain and the United States in respect of the Alaska boundary to the adjudication of an independent Tribunal, but rather contemplates the probability of such a mode of settlement of this long-pending controversy. The Undersigned concurs with Mr. Choate in thinking that what the Ambassador regards as the paramount issue, namely, whether the line should be drawn across inlets or round their heads, can best be decided by this means. He does not, however, share Mr. Choate's view that the particular course which the line is to take when the above question has been settled, can be satisfactorily determined by a joint survey. The Undersigned would point out that a joint survey has already been made, and that if the differences between the two Governments could not be settled by the aid of the very complete maps thereby afforded, he does not see much prospect of a fresh survey achieving a more definite result. It appears to the Undersigned that what Mr. Choate terms "minor or secondary" though "highly important" questions, namely, the exact location of the boundary-line and its precise distance from the coast, are analogous to those involved in the main issue, and can only be determined by a similar process. To illustrate his meaning the Undersigned would suppose that the question of inlets has been decided, and a joint survey dispatched to lay down the boundary in conformity with the provisions of the Treaty of 1825, which prescribes that the line shall follow the summit of the mountains situated parallel to the coast. The British surveyors would naturally interpret this to mean the summit of the mountains nearest the coast, while it is possible that the United States' surveyors might contend for the highest range. How could the point be decided? Yet upon the decision would depend the possession of part of the town of Skagway, even supposing the ownership of the heads of inlets was decided adversely to the British contention. Again, if there should be a break in the mountain range which it is decided to follow, should the line cross the break parallel to the coast or should it run at right angles back from the coast until the 10-league limit is reached? Controversies over these points, and others of a similar character, the least of which might turn out to be of far-reaching importance, would, it is to be feared, arise, and it is scarcely to be expected that surveyors in the field could reach an agreement upon them, nor, indeed, would it be expedient to allow them such latitude. It appears to the Undersigned that Mr. Choate's observations with regard to the question relative to the heads of inlets, namely, that of the interpretations regarding it which have been presented by Great Britain and the United States respectively, "one or the other is right, and can, and should be ascertained and determined so to be to the exclusion of the other," are equally applicable to many occasions of difference which surveyors sent to lay down the boundary would encounter. For these reasons the Undersigned is of opinion that all questions which depend for their solution upon the interpretation of the Treaty should be simultaneously referred to arbitration, to determine the true meaning of that instrument, and this, not merely with regard to the Lynn Canal or any other particular point, but in respect of the whole line, throughout its entire length, from the southernmost point of Prince of Wales Island to Mount St. Elias. What is desired by both Governments is the termination of this dispute, and in no other way, in the opinion of the Undersigned, can it be satisfactorily and permanently settled.

Mr. Choate's objection to the application of the Venezuela Treaty to the adjustment of the present controversy appears to be directed against the provision for compromise which that arrangement affords, and the latitude given to the Tribunal constituted under it. The Undersigned agrees with the view expressed in Lord Salisbury's despatch of the 14th October, 1899, that the circumstances of the Alaska boundary controversy are such as to warrant an unqualified submission to an impartial Tribunal, and it was solely with the desire to meet the objections of the United States' Representatives that the British members of the Joint High Commission of 1898-99 proposed to allow that continued adverse possession should be recognized and full regard had to the equities of the case. With this object in view it appeared to them that the Venezuela Treaty offered a convenient and suitable precedent. Accordingly they proposed arbitration on those lines, but the Canadian Government is not wedded to a particular formula, and is prepared to consider any reasonable modifications of the rules suggested (not inconsistent with finality of decision) which the United States may consider the special circumstances of the case to call for. Towards such questions as the composition of the Tribunal and its

organization, as well as the terms of reference, your Excellency's Ministers, with the qualification above mentioned, have adopted no fixed attitude, nor have they declined to reconsider the original proposal of the British side of the Joint High Commission, which, at the same time they conceive to be eminently fair to the United States.

But while the Canadian Government is thus prepared to acquiesce in every concession compatible with the maintenance of its self-respect, it must exclude from that category the stipulation contained in the last paragraph of Mr. Choate's letter, to the effect that all settlements made by American citizens in the disputed territory under the authority of their Government up to a very recent period shall remain the property of the United States. Mr. Choate has all along taken the ground that the only material question in this controversy is that which involves the ownership of the heads of inlets in general, and of the Lynn Canal in particular. That Canal derives its present importance from the fact of its forming the natural gateway to the gold-bearing regions of the Canadian interior, which are accessible by sea in those latitudes through the ports of Dyea, Skagway, and Pyramid harbour. The valleys in the rear of these ports are the only known avenues of approach to the interior which come down to the Lynn Canal, and are consequently the measure of its value. Their ownership must therefore constitute, in the view of the United States' Government, the chief object of the arbitration. Now, there cannot be a doubt that the proposal of the United States' Plenipotentiaries at the present meeting of the Joint High Commission, here renewed by Mr. Choate, to except from the "perils of any arbitration all towns or settlements on tide-water settled under the authority of the United States and under the jurisdiction of the United States at the date of this Treaty" was put forward with the object of securing Dyea, Skagway, and Pyramid harbour, for they are the only settlements on tide-water leading to the interior that can possibly be embraced by the definition. So Mr. Choate's reservation amounts to this: that the United States' Government will agree to arbitration only on condition that the principal objects of the reference shall be theirs in any event, and that Great Britain will so covenant before the parties go into Court. Your Excellency's advisers cannot doubt that Her Majesty's Government will never consent to any such arrangement.

This extraordinary proposal is based on the assumption that the settlements at the head of the Lynn Canal were established under the authority of the United States prior to the announcement of any claim to the territory in question on the part of Great Britain. So confident is Mr. Choate of the soundness of this contention that several times throughout his despatch he emphasizes it by expressly including Canada, as distinct from the mother-country, in his charge of having said or done nothing prior to 1898 to indicate her claim. This assertion has been dealt with in a Memorandum prepared by the Undersigned a few months ago, and printed confidentially for the use of the Colonial Office. It would serve no good purpose to recapitulate here in detail the proofs therein advanced tending to show that for the last thirty years the Canadian Government omitted no opportunity of publicly asserting its claim to the territory in dispute. It will be within your Excellency's recollection that ten years prior to the meeting of the Joint High Commission of 1898 the High Commissioner for Canada, at the instance of Sir John Macdonald, then Prime Minister, lodged a protest through the Secretary of State for the Colonies against a rumoured attempt on the part of the United States' Government to exercise sovereignty in the vicinity of what is now the town of Skagway, on the ground that the territory in question formed part of Her Majesty's dominions. The Undersigned is aware that the force of this protest was to some extent weakened in the course of its transmission to the United States' Government, but he submits that the clearness and vigour of the language employed to affirm the "well based contention" on the part of Canada that the heads of inlets "are within our territory," and consequently form "part of Her Majesty's dominions," leave no doubt as to what the Canadian Government's contention was on this point in the summer of 1888.

Mr. Choate suggests that too much weight has been given to Mr. Dawson's letter of the 7th February, 1888, laid before the Fisheries Commission of that year, in which the same contention is advanced. He argues that the meetings between that gentleman and Professor Dall were wholly informal; that neither possessed any delegated authority whatever, and that their opinions could not be held to commit anybody but themselves.

The Undersigned submits that while it is true the conferences between Messrs. Dawson and Dall were informal, these gentlemen were experts specially selected by their respective Governments, and he maintains that their views must therefore be held to be those of the Government which they represented. That this was so understood at the time is evident from the map (No. 16) which accompanies the Reports of both experts submitted to Congress by President Cleveland on the 2nd March, 1889. That map is a reproduction of one prepared in Ottawa for the purposes of the Conference of 1887-88.

As originally published it showed no boundary-lines, but upon a few copies lines were drawn in ink by Dr. Dawson, showing (1) a boundary-line as given on the United States' Coast Survey Map of Alaska, 1884; (2) a boundary-line approximately following the summits of mountains parallel to the coast, in presumed conformity with the text of the Convention of 1825, as understood by the Canadian Government; (3) one of the conventional lines discussed during the conferences and referred to in the printed correspondence between Dr. Dawson and Sir C. Tupper, which the latter laid before the Commission. It was not possible to draw the second conventional line, as this depended upon geographical details not determined at the time. A note upon the face of the map states that the line from the United States' Coast Survey Map "disregards both the Treaty reference to mountains and that to the ocean coast." A copy of the lithographed map, with the lines and notes above referred to was supplied to Professor Dall, and is reproduced in *fac-simile* as Map No. 16 above referred to.

That that line following the mountains parallel to the coast, crossing all the larger inlets, must at the time have been accepted as embodying the Canadian view of the meaning of the Treaty of 1825 is shown by the addition by the United States' authorities, to the *fac-simile* (at the top and outside the border of the map) of the words "Dawson's Canadian Map, 1887, showing conventional lines *proposed by Canada*." A copy of this map as originally prepared, and also a copy with Dr. Dawson's additions, both of which were published by the United States' Government and submitted to Congress, are appended to this Memorandum.

Mr. Choate says of the meetings between Messrs. Dawson and Dall, that they were not held during the sittings of the Joint High Commission of 1888. An examination of the Protocols of this Commission discloses that on the 9th January, 1888, Mr. Chamberlain suggested that Dr. Dawson and Professor Dall should meet and endeavour to agree upon some definite suggestions for the consideration of the Conference. On the 23rd January, Mr. Bayard concurred in this suggestion, and on the 30th it was arranged that Dr. Dawson should be summoned by telegraph. On the 2nd February Dr. Chamberlain announced that Dr. Dawson had arrived at Washington, and Mr. Bayard informed the Conference that the necessary arrangements would be made at once for him to meet Professor Dall. On the 7th February Mr. Chamberlain reported to the Commission that Dr. Dawson and Professor Dall had not made any progress on the question of the Alaska boundary. The Commission sat on the 2nd, 3rd, 6th, and 7th February. Obviously, therefore, Mr. Choate is under a misapprehension when he states that the conference between Messrs. Dall and Dawson were not held during the sittings of the Joint High Commission. Mr. Choate's inference that Sir C. Tupper dissociates himself from Dr. Dawson, because in the former's note of transmission he refers to the latter's views as "his," *i.e.* Dr. Dawson's, "own," appears to the Undersigned to be based upon a misconception of Sir C. Tupper's meaning. Bearing in mind that on the same day on which Dr. Dawson's letter was written, Mr. Chamberlain reported to the Conference that the two experts had failed to come to any agreement it is not surprising that Sir C. Tupper should allude to Dr. Dawson's views as "his own," meaning thereby, his own, not as distinct from those of the Government which he was there to represent, but from those of his fellow-expert with whom he could not reach any agreement. They were his individual views in the sense that they were not shared by Professor Dall. These views were known to the Government of which Sir C. Tupper was a member, before Dr. Dawson was summoned to Washington. If the Canadian Government was not in accord with them it is scarcely likely that he would have been selected to confer with the American expert, nor is it probable that Sir C. Tupper would have placed them before Mr. Bayard without, at any rate, some distinct and explicit disavowal of responsibility for them. The suggestion that Sir C. Tupper was in no mood to adopt General Cameron's opinions on the subject of the Alaska boundary, is the Undersigned is in a position to assure your Excellency, quite at variance with the fact. The Undersigned ventures to remind Her Majesty's Government that it was at the instance of Sir C. Tupper, at the time High Commissioner for Canada, that General Cameron was selected by the Secretary of State for the Colonies to investigate and report upon this question of the Alaska boundary. That Sir C. Tupper, in the year 1888, attached great weight to General Cameron's views on the subject of the Alaska boundary, and that he entirely concurred in protesting against any attempt on the part of the United States to disregard Canada's claim to the heads of inlets, is apparent from his letter to the Colonial Minister dated the 1st August, 1888, in which he fortified the protest of the Canadian Government by a Memorandum from General Cameron's pen.

The Undersigned would invite the attention of Her Majesty's Government to the message of the President of the United States transmitting these Reports and Maps of Dr. Dawson to Congress, and to the Memorandum of his Secretary of State which

accompanied them, in which Mr. Bayard expresses the opinion that these documents are "of value as bearing upon a subject of great international importance, and should be put in shape for public information."

The Undersigned submits that in thus giving effect to this suggestion the United States publicly acquainted its people of Canada's claim to the heads of the inlets more than eight years before anything in the nature of settlement was begun at the head of the Lynn Canal, for, as the Undersigned has already shown in his Memorandum above referred to, beyond a few trifling acts of occupation on the part of private individuals, at periods separated by considerable intervals of time, no settlement was attempted in those localities until the mining rush to the Klondike in the spring of 1897. In the light of these circumstances Her Majesty's Government will perceive how impossible it would be for Canada to assent to any condition similar to that put forward by Mr. Choate in his concluding observations.

and confesses to some surprise at Mr. Choate's statement to the effect that the United States' Government is not aware that at the Conference held in Washington in February 1892, the Canadian Ministers proposed, "that a reference to some impartial authority be made by Great Britain and the United States for the purpose of ascertaining and deciding finally the true boundary, regard being had to the Treaties relating to the subject, and likewise to the case which may be presented by either Government, and to the testimony which may be adduced as to the physical features and conditions of that country."

The Minutes of the proceedings of this Conference, signed by the Canadian Delegates and concurred in by Her Majesty's Minister to the United States, confirm the accuracy of this statement. These Minutes, which were published by order of the Canadian Parliament in the Sessions of 1892 and 1893 also record that on the 12th February, 1892, "the various contentions relating to the boundary were then explained," thereby indicating that the existence of a divergence between the views of the respective Governments as to the true meaning of the Treaty was recognized at that date, and that each was acquainted with the others claim.

In submitting these views, for the information of Her Majesty's Government, the Undersigned has the honour to remind your Excellency that in the Memorandum prepared by him in October, 1899, for the use of the Colonial Office, to which he has already referred, he detailed all the facts in connection with this controversy at considerable length, and appended thereto such official documents as in his opinion were necessary to the full understanding of this somewhat complicated subject.

The supplementary observations herewith offered are for the further elucidation of the Canadian contention, and in disproof of the allegation that neither the Imperial nor the Canadian Government adopted or put forward the British claim to the heads of the inlets "until after the Protocol of the 30th May, 1898."

All of which is respectfully submitted.

(Signed) L. H. DAVIES.

Ottawa, November 29, 1900.

No. 3.

Lord Pauncefoot to the Marquess of Lansdowne.—(Received April 11.)

(No. 115.)

My Lord,

Washington, April 2, 1901.

I HAVE the honour to transmit to your Lordship herewith copy of a note from Mr. Hay regarding a report that has gained credence among the American miners on Glacier Creek, in the Porcupine District, Alaska, that it is the purpose of the Canadian Government in that locality to extinguish American claims where the holders have failed to record locations with the Canadian Court recently established for the purpose of receiving and entering records.

The State Department, while recognizing the convenience and propriety of making provision for the Canadian registry of claims previously located under American law while the territory was under American jurisdiction, are of opinion that forfeiture for failure to so record would be opposed to the intention of the Arrangement agreed upon between the two Governments under the *modus vivendi* of 1899, in which it is stated that "the subjects or citizens of either Power found by this Arrangement

within the temporary jurisdiction of the other, shall suffer no diminution of the rights and privileges which they now enjoy."

I have the honour to draw your Lordship's attention to Mr. Hay's suggestion that a list or statement of all claims filed in the proper agencies of the United States should be prepared by the custodians of the records and duly certified for communication to His Majesty's Government, with the understanding that the claims so made of record should have force and effect as completely as though accorded independently in a British office of record.

I have forwarded a copy of Mr. Hay's note to the Governor-General of Canada.

I have, &c.
(Signed) PAUNCEFOTE.

Inclosure in No. 3.

Mr. Hay to Lord Pauncefote.

Excellency,

Department of State, Washington, March 30, 1901.

THE Secretary of War brings to my notice a report which has gained credence and created serious apprehension among the American miners on Glacier Creek, in the Porcupine District, Alaska, that it is the purpose of the Canadian Government in that locality to extinguish American claims where the holders have failed to record locations with the Canadian Court recently established for the purpose of receiving and entering records.

Glacier Creek, in the Porcupine District, is a part of the section included provisionally under Canadian administration in virtue of the temporary boundary established by the *modus vivendi* of 1899. It has been extensively settled by American miners prior to the signing of that Agreement, and the locations were made under the laws of United States in force at the time. Having thus complied with the law, the miners were, it seems, advised that they were secure in the possession of their claims under the terms of the *modus vivendi*, without further action, and few, if any, claims have been recorded in the Canadian Court.

The Department recognizes the convenience and propriety of provision for the Canadian registry of claims previously located under American law, while the territory was under American jurisdiction; but it is equally clear that forfeiture for failure to so record would be opposed to the intent of the Arrangement agreed upon between the two Governments in establishing the temporary boundary, and the execution of which was itself the cause of a change of jurisdiction in this region. In that Arrangement it is stated "that the citizens or subjects of either Power, found by this Arrangement within the temporary jurisdiction of the other, shall suffer no diminution of the rights and privileges which they now enjoy."

The two Governments having thus expressly provided for safe-guarding the interests of their citizens or subjects transferred by the Agreement to the provisional jurisdiction of the other, I venture to express my earnest hope and expectation that the Canadian Government will not proceed rigorously against American miners who—having located on Glacier or other creeks under American laws prior to the establishment in that territory of Canadian jurisdiction—have, through ignorance of the circumstances, or under bad advice, neglected to protect their interests under the new status by again registering under Canadian law.

To the end of protecting these interests, it may be suggested that the purpose in view in the conclusion of the *modus vivendi* would be fully accomplished were a list or statement of all claims filed in the proper agencies of the United States in that quarter prepared by the custodians of the records and duly certified for communication to your Government, with the understanding that the claims so made of record should have force and effect as completely as though recorded independently in a British office of record.

I have, &c.
(Signed) JOHN HAY.

No. 4.

Foreign Office to Colonial Office.

Sir,

Foreign Office, April 12, 1901.

I AM directed by the Secretary of State for Foreign Affairs to transmit to you, to be laid before the Secretary of State for the Colonies, the accompanying copy of a despatch respecting Canadian registration of American claims in Alaska.*

I am, &c.

(Signed) F. H. VILLIERS.

No. 5.

Lord Pauncefote to the Marquess of Lansdowne.—(Received May 20.)

(Private.)

Dear Lord Lansdowne,

Washington, May 10, 1901.

IN continuation of my private letter of the 25th ultimo, I now beg to transmit to your Lordship Mr. Hay's scheme for the settlement of the Alaskan boundary dispute, and of most of the Canadian questions discussed, but left open by the Joint High Commission of 1898-99.

The scheme is presented in the form of two drafts of Treaties, the one providing for the settlement of the boundary dispute by arbitration, and the other containing proposed Articles for the adjustment of eleven questions of great practical importance, the determination of which would, no doubt, remove many causes of friction between Canada and the United States.

There is one notable exception in the list of subjects at the commencement of the draft, and that is the old question of the fisheries off the Atlantic Coast. Both of these important drafts are only tentative, and submitted privately.

I will not trouble your Lordship at present with any criticisms upon them, but I venture to think that there will be no insuperable difficulty in their amendment so as to meet the reasonable wishes of His Majesty's Government, and that they offer a more hopeful prospect of successful negotiation than has yet presented itself.

I have, &c.

(Signed) PAUNCEFOTE.

Inclosure 1 in No. 5.

DRAFT ARBITRATION TREATY.

Convention between the United States of America and the United Kingdom of Great Britain and Ireland for determining by Arbitration the true Treaty-boundary between the Territory of Alaska and the British Possessions in North America.

THE United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, equally desirous for the friendly and final adjustment of the differences which exist between them in respect to the true meaning and application of certain clauses of the Convention between Great Britain and Russia, signed the 16th (28th) February, 1825, which clauses relate to the delimitation of the boundary-line between the British possessions in North America and the territory of Alaska, now a possession of the United States, in virtue of the cession thereof to the United States by Russia by the Convention between the last-named Powers, signed at Washington, the 30th March, 1867, wherein said clauses are embodied as defining the said territory so ceded, have resolved to provide for the submission of the questions as hereinafter stated to arbitration, and to that end have appointed their respective Plenipotentiaries as follows:—

The President of the United States of America, the Honourable John Hay, Secretary of State of the United States; and

Her Britannic Majesty, the Right Honourable Lord Pauncefoot, G.C.B., G.C.M.G.,
Her Britannic Majesty's Ambassador Extraordinary and Plenipotentiary :

Who, after an exchange of their full powers, which were found to be in good and due form, have agreed upon the following Articles :—

ARTICLE I.

An Arbitral Tribunal shall be immediately appointed to consider and decide the questions set forth in Article IV of this Convention. The said Tribunal shall consist of six impartial jurists of repute, each of whom shall before entering upon his duties subscribe an oath that he will impartially consider the arguments and evidence presented to the Tribunal and decide thereupon according to his true judgment. Three members of the Tribunal shall be appointed by the President of the United States and three by Her Britannic Majesty. All questions considered by the Tribunal, including the final Award, shall be decided by a majority of all the Arbitrators.

In case of the refusal to act, or of the death, incapacity, or abstention from service of any of the persons so appointed, another impartial jurist of repute shall be forthwith appointed in his place by the same authority which appointed his predecessor.

The Arbitrators may appoint a Secretary, and such other officers as may be requisite to assist them, and may employ scientific experts, if found to be necessary ; fixing a reasonable compensation for such officers and such experts. The Tribunal shall keep an accurate record of all its proceedings.

Each of the High Contracting Parties shall make compensation for the services of the Arbitrators of its own appointment, and of any Agent, Counsel, or other person employed in its behalf, and shall pay all costs incurred in the preparation of its Case. All expenses reasonably incurred by the Tribunal in the performance of its duties shall be paid by the respective Governments in equal moieties.

The Tribunal may, subject to the provisions of this Convention, establish all proper rules for the regulation of its proceedings.

ARTICLE II.

Each of the High Contracting Parties shall also name one person to attend the Tribunal as its Agent to represent it generally in all matters connected with the arbitration.

The written or printed Case of each of the two Parties, accompanied by the documents, the official correspondence, and all other evidence in writing or print on which each Party relies, shall be delivered in duplicate to each of the Arbitrators, and to the Agent of the other Party, as soon as may be after the organization of the Tribunal, but within a period not exceeding months from the date of the exchange of ratifications of this Treaty.

Within four months after the delivery on both sides of the written or printed Case, either Party may, in like manner, deliver in duplicate to each of the Arbitrators, and to the Agent of the other Party, a Counter-Case, and additional documents, correspondence, and evidence in reply to the Case, documents, correspondence, and evidence so presented by the other Party. The Tribunal may, however, extend this last-mentioned period when, in their judgment, it becomes necessary by reason of special difficulties which may arise in the procuring of such additional papers and evidence.

If, in the case submitted to the Tribunal, either Party shall have specified or referred to any report or document in its own exclusive possession without annexing a copy, such Party shall be bound, if the other Party shall demand it, to furnish to the Party applying for it a duly certified copy thereof ; and either Party may call upon the other, through the Tribunal, to produce the original or certified copies of any papers adduced as evidence, giving in each instance such reasonable notice as the Arbitrators may require.

Each Party may present to the Tribunal all pertinent evidence, documentary, historical, geographical, or topographical, including maps and charts, in its possession or control which it may deem applicable to the rightful decision of the questions submitted ; and if it appears to the Tribunal that there is evidence pertinent to the case in the possession of either Party, and which has not been produced, the Tribunal

may in its discretion order the production of the same by the Party having control thereof.

It shall be the duty of each Party through its Agent or Counsel, within two months from the expiration of the time limited for the delivery of the Counter-Case on both sides, to deliver in duplicate to each of the said Arbitrators and to the Agent of the other Party a written or printed Argument showing the points and referring to the evidence upon which his Government relies. The Tribunal may, if they shall deem further elucidation with regard to any point necessary, require from either Party a written, printed, or oral Statement or Argument upon the point; but in such case the other Party shall have the right to reply thereto.

ARTICLE III.

It is agreed by the High Contracting Parties that the Arbitral Tribunal shall consider in the settlement of the questions submitted to its decision the Conventions respectively concluded between His Britannic Majesty and the Emperor of All the Russias under date of the 16th (28th) February, A.D. 1825, and between the United States of America and the Emperor of All the Russias concluded under date of the 18th (30th) March, A.D. 1867; and particularly the Articles III, IV, V, and VII of the first-mentioned Convention, which in the original text are word for word as follows:—

“III. La ligne de démarcation entre les possessions des Hautes Parties Contractantes sur la côte du Continent et les Iles de l’Amérique Nord-Ouest, sera tracée ainsi qu’il suit:—

“A partir du point le plus méridional de l’île dite *Prince of Wales*, lequel point se trouve sous la parallèle du 54° 40’ de latitude nord, et entre le 131° et le 133° degré de longitude ouest (méridien de Greenwich), la dite ligne remontera au nord le long de la passe dite *Portland Channel*, jusqu’au point de la terre ferme où elle atteint le 56° degré de latitude nord; de ce dernier point la ligne de démarcation suivra la crête des montagnes situées parallèlement à la côte, jusqu’au point d’intersection du 141° degré de longitude ouest (même méridien); et, finalement, du dit point d’intersection, la même ligne méridienne du 141° degré formera, dans son prolongement jusqu’à la Mer Glaciale, la limite entre les possessions Russes et Britanniques sur le Continent de l’Amérique Nord-Ouest.

“IV. Il est entendu, par rapport à la ligne de démarcation déterminée dans l’Article précédent :

“1. Que l’île dite *Prince of Wales* appartiendra tout entière à la Russie.

“2. Que partout où la crête des montagnes qui s’étendent dans une direction parallèle à la côte depuis le 56° degré de latitude nord au point d’intersection du 141° degré de longitude ouest, se trouverait à la distance de plus de 10 lieues marines de l’océan, la limite entre les possessions Britanniques et la lisière de côte mentionnée ci-dessus comme devant appartenir à la Russie, sera formée par une ligne parallèle aux sinuosités de la côte, et qui ne pourra jamais en être éloignée que de 10 lieues marines.

“V. Il est convenu, en outre, que nul établissement ne sera formé par l’une des deux Parties dans les limites que les deux Articles précédens assignent aux possessions de l’autre. En conséquence, les sujets Britanniques ne formeront aucun établissement soit sur la côte, soit sur la lisière de terre ferme comprise dans les limites des possessions Russes, telles qu’elles sont désignées dans les deux Articles précédens; et, de même, nul établissement ne sera formé par des sujets Russes au delà des dites limites.

“VII. Il est aussi entendu que, pendant l’espace de dix ans, à dater de la signature de cette Convention, les vaisseaux des deux Puissances, ou ceux appartenans à leurs sujets respectifs, pourront réciproquement fréquenter, sans entrave quelconque, toutes les mers intérieures, les golfes, havres, et criques sur la côte mentionnée dans l’Article III, afin d’y faire la pêche et le commerce avec les indigènes.”

The Arbitrators shall also take into consideration any action of the several Governments, or of their respective Representatives, preliminary or subsequent to the conclusion of said Treaties, so far as the same tends to show the intendment of the Parties in respect to the limits of their several territorial jurisdictions under and by virtue of the provisions of said Treaties.

ARTICLE IV.

The said Tribunal shall answer and decide the following questions:—

1. Referring to Article III of said Treaty of 1825 between Great Britain and Russia, was it intended thereby that the line of demarcation should be traced from the southernmost point of the island, now known as the Prince of Wales Island, along the parallel of 54° 40’ north latitude to the passage now commonly known and marked on the maps as the “Portland Channel,” and thence along the middle of said

channel northward until said northward line shall reach on the mainland of the continent the 56th degree of north latitude?

If not, how should said line be traced to conform to the provisions of said Treaty?

2. In extending the line of demarcation northward from said point on the parallel of the 56th degree of north latitude, following the crest of the mountains situated parallel to the coast until its intersection with the 141st degree of longitude west of Greenwich, subject to the condition that when such line should exceed the distance of 10 marine leagues from the ocean, then the boundary between the British and the Russian territory should be formed by a line parallel to the sinuosities of the coast and distant therefrom not more than 10 marine leagues, was it the intention and meaning of said Convention of 1825 that there should remain in the exclusive possession of Russia a continuous fringe or strip of coast on the mainland, 10 marine leagues in width, separating the British possessions from the bays, ports, inlets, havens, and waters of the ocean, and extending from the said point on the 56th degree of latitude north to a point where such line of demarcation should intersect the 141st degree of longitude west of the meridian of Greenwich?

If not, how should said line of demarcation be traced to conform to the provisions of said Treaty?

ARTICLE V.

The Arbitrators shall assemble for their first meeting at so soon as practicable after receiving their commissions, and shall themselves fix the times and places of all subsequent meetings.

The decision of the Tribunal shall be made so soon as possible after the conclusion of the arguments in the Case, and within three months thereafter, unless the President of the United States and Her Britannic Majesty shall by common accord extend the time therefor. The decision shall be made in writing and dated, and shall be signed by the Arbitrators assenting to the same. It shall be signed in duplicate, one copy whereof shall be given to the Agent of the United States of America for his Government, and the other to the Agent of Her Britannic Majesty for his Government.

ARTICLE VI.

When the High Contracting Parties shall have received the decision of the Arbitrators upon the questions submitted as provided in the foregoing Articles, they will at once proceed with negotiations for the final adjustment and demarcation of the said boundary-line in conformity with such decision.

Should there be unfortunately a failure by the majority of the Arbitrators to agree upon any of the points submitted for their decision, it shall be their duty to so report in writing to the respective Governments through their respective Agents. Should there be an agreement by a majority upon a part of the questions submitted, it shall be their duty to sign and report their decision upon the points of such agreement in the manner hereinbefore prescribed.

ARTICLE VII.

The present Treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate, and by Her Britannic Majesty, and the ratifications shall be exchanged in Washington or in London so soon as the same may be effected.

In faith whereof we, the respective Plenipotentiaries, have signed this Treaty, and have hereunto affixed our seals.

Done at Washington, in duplicate, this day of
A.D. nineteen hundred.

Inclosure 2 in No. 5.

Draft Treaty on Canadian Questions.

THE United States of America and Her Britannic Majesty, being desirous of removing all causes of differences between the United States and the Dominion of Canada and of promoting free and amicable intercourse between the two coterminous countries, have, for that purpose, appointed their respective Plenipotentiaries, that is to say :

The President of the United States has appointed

And Her Britannic Majesty, on her part, has appointed

And said Plenipotentiaries, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed to and concluded the following Articles :—

DRAFT OF TREATY.

Article	
I	Fur Seals.
II	Fishing in Contiguous Waters
III	Bonded Privileges.
IV	Railroad Transportation.
V	Canals and Lake Michigan.
VI	Alien Labour Immigration.
VII	Mining Rights.
VIII	Armament on Great Lakes.
IX	Conveyance of Prisoners.
X	Wreckage and Salvage of Vessels.
XI	Marking Boundary West of Lake Superior.

ARTICLE I.

The High Contracting Parties mutually and reciprocally agree that their respective subjects, citizens, and vessels shall be prohibited from engaging in pelagic sealing in any part of the waters of the North Pacific Ocean and Behring Sea, and that every person or vessel offending against this prohibition may be seized and detained by the naval or other duly commissioned officers of either of the High Contracting Parties; but they shall be delivered as soon as practicable to the authorities of the nation to which they respectively belong, who alone shall have jurisdiction to try the offence and impose the penalties for the same, the witnesses and proof necessary to establish the offence being also sent with them or otherwise furnished to the proper jurisdictional authority with all reasonable promptitude; and they agree, further, respectively, to prohibit the use of any British or United States' port by any persons for any purposes whatsoever connected with the operation of pelagic sealing in said waters, and to prohibit the importation or bringing of any fur-seal skins taken in such pelagic sealing into any British or United States' port, and by the necessary legislation and enforcement of appropriate penalties thereunder to make such prohibitions effective.

Such prohibitions, however, shall not apply to Indians dwelling on the coasts of the territory of the United States or of Great Britain and carrying on pelagic sealing in canoes not transported by or used in connection with other vessels, and propelled wholly by paddles, oars, or sails, and manned by not more than five persons each, in the way hitherto practised by the Indians without the use of fire-arms: provided such Indians are not in the employment of other persons nor under contract for the delivery of the skins to any person.

The prohibitions aforesaid which the Government of Great Britain agrees to enact and the penalties which it agrees to enforce shall take effect from the date when payment is made by the United States of the sum of dollars, in this Article hereinafter agreed to be paid.

The Government of the United States agrees to pay to the Government of Her Britannic Majesty within _____ months of the exchange of ratifications of this Treaty the sum of _____ dollars as full compensation to British subjects on account of the foregoing prohibition and in settlement of all claims against the United States arising out of the operation of pelagic sealing or measures for the prevention thereof.

The Government of the United States further agrees to pay annually to the Government of Her Britannic Majesty _____ per cent. of the gross amount received by the Government of the United States from the taking of fur-seals on the Pribyloff Islands. The first annual payment shall be made _____ years from the day of the payment of the sum of _____ dollars, above mentioned, and all subsequent payments on or before the same day in each succeeding year.

The prohibitions hereinbefore provided for on the part of the Government of Her Britannic Majesty shall continue in full effect and be in force so long as the annual payments aforesaid continue to be made, and so long as the prohibitions hereinbefore provided for on the part of the United States continue in full effect.

The term "pelagic sealing," as used in this Article, is defined to be the killing, capturing, or pursuing in any manner whatsoever of fur-seals on the high sea.

ARTICLE II.

The High Contracting Parties, recognizing the necessity of uniform and effective measures for the protection and preservation of the food fishes in the waters contiguous to the common frontier of the United States and Canada, hereby agree that the times, seasons, and methods of fishing in such contiguous waters, and the nets, engines, gear, apparatus, and appliances which may be used therein, shall be fixed and determined by uniform and common International Regulations, restrictions and provisions, and to that end agree to appoint, within three months after this Convention goes into effect, a Commission to be known as the International Fisheries Commission, consisting of one person named by each Government. It shall be the duty of this Commission, within six months after being named, to prepare a system of uniform and common International Regulations for the protection and preservation of the food fishes in each of the waters prescribed in this Article, which Regulations shall embrace close seasons, limitations as to the character, size, and manner of use of nets, engines, gear, apparatus, and other appliances, a system of registry of vessels for commercial fishing in waters where required, and such other provisions and measures as the Commission shall deem necessary.

The two Governments engage to put in operation, and to enforce by legislative and executive action, with as little delay as possible, the Regulations and restrictions with appropriate penalties for all breaches thereof, and the date when they shall be put in operation shall be fixed by the concurrent Proclamations of the President of the United States and the Governor-General of the Dominion of Canada in Council.

Such Regulations and restrictions shall remain in force for a period of four years from the date of their executive promulgation, and thereafter for one year from the date when either of the Governments of the United States of America or Great Britain shall give notice to the other of its desire for their revision, whereupon the Commission provided for in this Article shall make a revision thereof, which revised Regulations, if adopted by the two Governments, shall remain in force for another period of five years and until one year from the time when a further notice of revision is given. It shall, however, be within the power of the two Governments by joint or concurrent action, upon the recommendation of the Commission, to make modifications at any time in the Regulations.

It is agreed that the waters within which the aforementioned Regulations are to be applied shall be as follows: (1) The territorial waters of Passamaquoddy Bay; (2) the St. John and St. Croix Rivers; (3) Lake Champlain; (4) the St. Lawrence River, where the said river constitutes the international boundary; (5) Lake Ontario; (6) Niagara River; (7) Lake Erie; (8) the waters connecting Lake Erie and Lake Huron, including Lake St. Clair; (9) Lake Huron and its bays; (10) St. Mary's River and Lake Superior; (11) Lake of the Woods; (12) the Strait of Juan de Fuca, those parts of Washington Sound, and the Gulf of Georgia and Puget Sound lying between the parallels of 48° 10' and 49° 20'; (13) and such other contiguous waters as may be recommended by the International Fisheries Commission and approved by the two Governments. It is agreed on the part of Great Britain that the Canadian Government shall protect by adequate Regulations the food-fishes frequenting the Fraser River.

This Commission shall continue in existence so long as this Article shall be in

force, and each Government shall have the power to fill, and shall fill, from time to time, any vacancy which may occur in its representation on the Commission. Each Government shall pay its own Commissioner, and any joint expenses shall be paid by the two Governments in equal moieties.

ARTICLE III.

It is agreed that the goods, wares, or merchandize arriving at the ports of New York, Boston, and Portland, and any other ports of the United States which have been or may from time to time be especially designated by the President of the United States, and destined for Her Britannic Majesty's possessions in North America, may be entered at the proper custom-house and conveyed in transit, without the payment of duties, across the territory of the United States, under such Rules, Regulations, and conditions for the protection of the revenue as the Government of the United States may from time to time prescribe; and, under like Rules, Regulations, and conditions, goods, wares, or merchandize may be conveyed in transit, without the payment of duties, from such possessions across the territory of the United States for export from the said ports of the United States.

2. It is further agreed that goods, wares, or merchandize arriving at any of the ports of Her Britannic Majesty's possessions in North America, and destined for the United States, may be entered at the proper custom-house and conveyed in transit, without the payment of duties, across the said possessions, under such Rules, Regulations, and conditions for the protection of the revenue as the Government of the said possessions may from time to time prescribe; and under like Rules, Regulations, and conditions, goods, wares, or merchandize may be conveyed in transit, without payment of duties, from the United States across the said possessions for export from ports in the said possessions.

3. Merchandize in a bonded warehouse of either the United States or Dominion of Canada, when withdrawn for shipment to the other country, shall be entitled to the same treatment in the country of destination as though it had not entered such bonded warehouse.

4. Fish caught in the high seas by the citizens or subjects of either of the High Contracting Parties and destined for transit across the country of the other are entitled to the privileges accorded to other merchandizes in the foregoing paragraphs of this Article.

ARTICLE IV.

It is agreed by the High Contracting Parties that the Railroad Companies of the Dominion of Canada may freely transport passengers and merchandize from point to point in the United States passing through some intervening territory of the Dominion of Canada, without the payment of customs duties upon such merchandize, and under such Rules and Regulations for the protection of its revenues as the Government of the United States may from time to time prescribe: Provided that such passengers and merchandize shall be carried subject to the Laws of the United States, and in conformity with the Rules, recommendations, and orders which may from time to time be prescribed by the Interstate Commerce Commission for the government of the Railroad Companies of the United States, if engaged in the transportation of such traffic entirely within the United States. The Railroad Companies of the Dominion of Canada shall observe all Rules, recommendations, and orders of the Interstate Commerce Commission of the United States which may be made, after reasonable notice, hearing, and consideration, with respect to the transportation of such passengers and merchandize.

2. The Dominion of Canada may appoint, without expense to the United States, a suitable person to sit as a member of the Interstate Commerce Commission in the hearing and determination of all matters affecting the Railroad Companies of the Dominion of Canada, and arising under the provisions of this Treaty. Such members shall with respect to such matters have the like full powers of other members of the Interstate Commerce Commission.

3. The Interstate Commerce Commission shall have the same right and power in the taking of evidence and in the examination of books and papers of the Railroad Companies of the Dominion of Canada, with respect to such traffic, as they shall have under like circumstances in the taking of evidence and the examination of books and papers of Railroad Companies in the United States.

4. In the event that a Railroad Company in the Dominion of Canada shall, after reasonable notice, which shall in no case be less than fifteen days, fail or refuse to comply with any Law, Rule, recommendation, or order, the Interstate Commerce Commission of the United States may certify such fact to the Secretary of the Treasury, who may thereupon withdraw the bonding and other privileges enjoyed by such Railroad Company, and thereafter all merchandize transported by such Railroad Company shall, before it is admitted into the United States from the Dominion of Canada, be subject to customs duties as if it were of foreign production.

5. When the delinquent or offending Railroad Company shall have complied with the Law, Rule, recommendation, or order which it has violated, the Interstate Commerce Commission shall certify such fact to the Secretary of the Treasury, who shall thereupon permit such Railroad Company to again enjoy the privileges herein granted, subject to the limitations and conditions hereof.

6. Each of the Railroad Companies of the Dominion of Canada desiring to enjoy the privileges of this Treaty shall designate to the Interstate Commerce Commission an agent and office in the city of Washington, upon whom and where service of all the Rules, recommendations, and orders to be issued by the said Commission may be served.

7. The Railroad Companies of the United States may freely transport passengers and merchandize from point to point in the Dominion of Canada passing through some intervening territory of the United States, without the payment of customs duties upon such merchandize, and under such Rules and Regulations for the protection of its revenue as the Dominion of Canada may from time to time prescribe: Provided that such passengers and merchandize shall be carried subject to the Laws of the Dominion of Canada, and in conformity with the Rules, recommendations, and orders which may from time to time be prescribed by the Railway Committee of the Privy Council for the government of the Railroad Companies of the Dominion of Canada, if engaged in the transportation of such traffic entirely within the Dominion of Canada. The Railroad Companies of the United States shall observe all Rules, recommendations, and orders of the Railway Committee of the Privy Council of the Dominion of Canada which may be made, after reasonable notice, hearing, and consideration, with respect to the transportation of such passengers and merchandize.

8. The Railway Committee of the Privy Council shall have the same right and power in the taking of evidence and the examination of books and papers of the Railroad Companies of the United States with respect to such traffic as they shall have under like circumstances in the taking of evidence and the examination of books and papers of Railroad Companies in the Dominion of Canada.

9. In the event that a Railroad Company of the United States shall, after reasonable notice, which shall in no case be less than fifteen days, fail, or refuse, to comply with any Law, Rule, recommendation, or order, the Railway Committee of the Privy Council shall thereupon, by proclamation, withdraw the bonding and other privileges enjoyed by such Railroad Company, and thereafter all merchandize transported by such Railroad Company shall, before it is admitted into the Dominion of Canada from the United States, be subject to customs duties as if it were of foreign production.

10. When the delinquent or offending Railroad Company shall have complied with the Law, Rule, recommendation, or order which it has violated, the Railway Committee of the Privy Council shall, by proclamation, permit such Railroad Company to again enjoy the privileges herein granted, subject to the limitations and conditions hereof.

11. Each of the Railroad Companies of the United States desiring to enjoy the privileges of this Treaty shall designate to the Railway Committee of the Privy Council an agent and office in the city of Ottawa, upon whom and where service of all the Rules, recommendations, and orders to be issued by the said Railway Committee of the Privy Council may be served.

12. In the event either of the High Contracting Parties shall at any time believe that the bonding privilege has been unfairly or improperly withdrawn from its Railroad Companies by the other country, it may, so long as such unfair or improper withdrawal shall continue, exclude the Railroad Companies of such other country from enjoying the bonding privilege herein granted to them.

ARTICLE V.

The High Contracting Parties hereby annul Article XXVII of the Treaty of 1871 between them, and in lieu thereof engage that the citizens of the United States shall enjoy, for their vessels and merchandize, the use of the Welland, St. Lawrence, and other

canals in the Dominion of Canada, on terms of absolute equality with the inhabitants of the Dominion of Canada. In the event the Dominion of Canada shall levy any tolls for the use of said canals, such tolls shall not be so levied as to discriminate against the merchandize of the citizens of the United States, either because of its character or destination. And it is also agreed that the inhabitants of the Dominion of Canada shall enjoy the use of the Sainte Clair Flats Canal on terms of absolute equality with the citizens of the United States.

2. The United States further engages to urge upon the Governments of the States of New York and of Michigan respectively, if occasion should require, to continue to the inhabitants of Canada the use of the Erie, Whitehall, and Sault Sainte Marie Canals, on terms of absolute equality with the citizens of the United States.

3. The inhabitants of Canada, in connection with the use of the Erie Canal, shall have the right of free navigation to and from the lower waters of the Hudson River, on terms of absolute equality with the citizens of the United States, subject to any Laws and Regulations of the United States not inconsistent with such privileges of free navigation.

4. And it is mutually agreed that, in the concession of privileges herein, full power is granted for the transshipment of cargoes from vessels into canal boats, and from canal boats into vessels, at either terminus of every canal.

5. The navigation of Lake Michigan shall be free and open for the purpose of commerce to the subjects of Her Britannic Majesty, subject to any Laws and Regulations of the United States, or of the States bordering thereon, not inconsistent with such privileges of free navigation.

ARTICLE VI.

It is hereby agreed that, notwithstanding anything in the laws of the United States or of the Dominion of Canada to the contrary, the passage of persons from the United States to the Dominion of Canada, and from the Dominion of Canada to the United States, shall be allowed, where such persons are native or naturalized citizens of the United States, or British subjects, native or naturalized, and have resided for at least one year in the United States or in the Dominion of Canada respectively.

The foregoing provision shall not be construed so as to affect the right of either the United States or the Dominion of Canada to exclude idiots, paupers, insane persons, persons suffering from a loathsome or a dangerously contagious disease, persons who have been convicted of a felony or other infamous crime or misdemeanour involving moral turpitude (not including political offences), polygamists, and persons imported for immoral purposes; or the right of either country to exclude natives of other countries and races whose immigration is, or may be hereafter, prohibited by legislation.

ARTICLE VII.

The right of mining and the acquisition of mining rights within the Dominion of Canada are conceded to citizens of the United States upon the same terms and conditions which are at the time enjoyed by natives of the Dominion.

Reciprocally, and as compensation therefor, the right of mining and the acquisition of mining rights within the jurisdiction and disposal of the United States are conceded to the Canadian subjects of Her Majesty upon the same terms and conditions which are at the time enjoyed by citizens of the United States.

The miners of the respective countries entering the territory of the other shall each be entitled to the entrance free of duty of his accompanying outfit, including his wearing apparel, tent, fur robes, or woollen and rubber blankets, for his personal use, cooking utensils, mining implements for manual use, and whatever articles are necessary and appropriate for his personal comfort and use as a miner in such territory, the value not to exceed in the aggregate 250 dollars, together with provisions for his journey and for a period of two months after his arrival. The respective Governments of the Dominion of Canada and of the United States shall make suitable Regulations in a liberal spirit for giving effect to this provision.

Where miners' licences, certificates, or other official papers are required by either Government, the same shall be provided at convenient points on the usual lines of travel, with terms, conditions, and charges, if any, equally applicable to miners of both countries.

Nothing in this Article contained shall be deemed to restrict the power of either

the United States or any State thereof, or of the Dominion of Canada or any province thereof, to modify their legislation in respect to mining or the acquisition or transfer of mining rights; but the terms and conditions provided therein shall be equally and reciprocally applicable to miners of both countries.

No duty, charge, or other restriction shall be imposed in the country of production upon the transfer thence to any other country of the product of the mines embraced within the provisions of this Article and belonging to the citizens or subjects of the other country.

ARTICLE VIII.

The High Contracting Parties engage to annul their Agreement of 1817 in respect to the maintenance of a naval force and the construction of armed vessels on the Great Lakes; and in lieu of such Agreement substitute the following:—

Neither Government shall hereafter maintain upon the Great Lakes any naval armament or vessels of war, except as follows:—

Either Government may hereafter maintain upon the said lakes not more than two vessels of a maximum displacement of 1,000 tons each, with not more than two guns of a calibre not exceeding 4 inches, and six guns of minor calibres each; such vessels to be used only for the purpose of naval instruction and training.

Each Government may maintain not more than six revenue-cutters of a maximum displacement of 900 tons each, armed with not exceeding one 6-pr. rapid fire gun each.

Each Government may make use of the industrial establishments on the shores of said lakes for building the above-mentioned vessels, and also for the construction of naval vessels for use upon the high seas; but such naval vessels shall not be armed or rendered available for war on said lakes. Not more than one of the last-named vessel shall be completed to the point where it may be armed or rendered available for war at the same time; it shall be delivered at the Atlantic sea-board at as early a date as practicable after it has been prepared to receive its guns, and for that purpose shall have passage through all intermediate waterways.

ARTICLE IX.

Any officer of the United States of America, or of any State or territory thereof, having in his custody without the borders of Canada, by virtue of any warrant or other lawful process issued by authority of the United States or of any State or territory thereof, any person charged with or convicted of a criminal offence committed within the jurisdiction of the United States or of any State or territory thereof, may, in executing such warrant or process, convey such person through any part of Canada to a place in the United States, if such warrant or process is indorsed by a Judge, Magistrate, or Justice of the Peace in Canada, or if the authority of the Minister of Justice of Canada for such conveyance is first obtained.

During such conveyance of such person through Canada such officer may keep such person in his custody, and in case of escape may recapture him.

Any officer of the Dominion of Canada or of any province or territory thereof, having in his custody without the borders of the United States of America, by virtue of any warrant or other lawful process issued by authority of the law of the Dominion or of any province or territory thereof, any person charged with or convicted of a criminal offence committed in Canada, may, in executing such warrant or process, convey such person through any part of the United States to a place in Canada, if such warrant or process is indorsed by a Judge, Magistrate, or Justice of the Peace in the United States, or if the authority of the Secretary of State [? the Department of Justice] of the United States for such conveyance is first obtained.

During such conveyance of such person through the United States such officer may keep such person in his custody, and in case of escape may recapture him.

The foregoing provisions shall apply only to persons charged with or convicted of offences of the following descriptions:—

1. Offences for which extradition is at the time authorized by a Convention in force between the Governments of the United States and of Great Britain.
2. Assault with the intent to commit grievous bodily harm.
3. Assault upon an officer of the law in the execution of his duty.

The two Governments may by common accord make further or other Regulations for certifying the warrant or process under which the person in custody is to be conveyed, as before provided.

ARTICLE X.

Whereas reciprocal legislation now exists in the United States of America and in Canada permitting the vessels of each country respectively to save any property wrecked, and to render aid and assistance to any vessels wrecked, disabled, or in distress, in the waters of each of such countries contiguous to the other; and it is desirable that such legislation should be permanent and be made to define clearly the meaning of the terms in such legislation of "the waters of Canada contiguous to the United States," and "the waters of the United States contiguous to the Dominion of Canada":

It is therefore agreed and defined that vessels and wrecking appliances of the United States and of Canada respectively may save any property wrecked, and may render aid and assistance to any vessels wrecked, disabled, or in distress—

(1.) In the waters or on the shores of the St. Lawrence River where the said river constitutes the international boundary;

(2.) In the waters and along the shores of Lake Ontario, Lake Erie, Lake Huron, and the waters connecting Lakes Erie and Huron, including Lake St. Clair;

(3.) In the St. Mary's River and Lake Superior.

(4.) And in the waters of the Atlantic and Pacific Oceans, along the coast-line and islands, in all the bays, sounds, straits, and open ocean lying or being within the distance of 30 miles from the international water boundary-line.

It is further agreed that such reciprocal wrecking privileges shall include all necessary towing incident thereto, and that nothing in the customs, coasting, or other Laws or Regulations of either country shall be so construed as to restrict in any manner the proper salving operations of such vessels or wrecking appliances.

It is further agreed that the owners or consignees of any disabled vessel or cargo in peril may employ their own vessels and appliances for the rescue or salvage of their own property, whether the same be within or without the limits prescribed in the preceding clause of this Article.

Vessels employed as above stated shall, as soon as practicable afterwards, make full report at the nearest custom-house of the country in whose waters such salving takes place.

Note (a.).

Mr. Kasson insisted on this clause to conserve the inherent right of an owner, or his agents, to save his own property. Some steam-ship lines have their own wrecking vessels and apparatus, and are morally entitled to use it for the protection of their own ships and cargoes, wherever wrecked.

ARTICLE XI.

In order to provide for the amicable adjustment of possible differences and conflicts of jurisdiction in respect to the international boundary-line hereinafter described, it is agreed that whenever differences shall arise in respect to the precise limits of the respective national jurisdictions between the point where the boundary-line enters the Iroquois or St. Lawrence River and westward to Rainy Lake, as described in the Treaty concluded at Washington on the 9th day of August, 1842, and known as the Webster-Ashburton Treaty, and as further delineated on the maps certified by the signatures of Daniel Webster and Ashburton to be the maps of boundary agreed to by said Treaty, the high Signatory Parties shall each appoint one expert geographer or surveyor as a Commissioner, and the two Commissioners so appointed, after making oath in writing that they will impartially and faithfully perform this duty, shall by common accord proceed to ascertain the boundary-line so brought in question, and shall designate and mark the same in such manner, by monuments on land or by marks or ranges from the shore where the boundary is a water-line, as shall be most practicable and certain; and shall make joint report of all points of their agreement, and of their disagreement, if any, to both Governments. Their joint agreement shall be accepted as determining the line in question. In case of their disagreement the High Contracting Parties shall agree upon a third impartial Commissioner, whose award upon the point or points of disagreement shall be accepted as final. The reasonable expenses of such Commission shall be paid by the two parties in equal moieties.

Note.

This Article, prepared by Mr. Kasson, will be useful if the subjects shall not be covered by a separate Treaty, as proposed.

No. 6.

Colonial Office to Foreign Office.—(Received May 25.)

Sir,

Downing Street, May 24, 1901.

I AM directed by Mr. Secretary Chamberlain to transmit to you, for the information of the Marquess of Lansdowne, with reference to previous correspondence, a copy of a despatch from the Governor-General of Canada, submitting the joint Report (with maps) of the officers appointed to establish the provisional boundary between Canada and Alaska in the region about the head of the Lynn Canal.

I am to request the return of the maps, which are sent in original.

I am, &c.

(Signed) C. P. LUCAS.

Inclosure 1 in No. 6.

Governor-General the Earl of Minto to Mr. Chamberlain.

Sir,

Government House, Ottawa, March 22, 1901.

I HAVE the honour to forward herewith a copy of an approved Minute of the Privy Council, submitting the joint Report of Mr. W. F. King, Chief Astronomer of the Department of the Interior, and Mr. Otto H. Tittmann, of the United States' Coast and Geodetic Survey, the officers appointed respectively by Her Majesty's Government and by the Government of the United States to establish the provisional boundary between Canada and Alaska in the region about the head of Lynn Canal, under the arrangement settled by an exchange of notes between Her Majesty's Chargé d'Affaires at Washington and the United States' Secretary of State on the 20th October, 1899.

I have, &c.

(Signed) MINTO.

Inclosure 2 in No. 6.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 20th February, 1901.

ON a Memorandum, dated the 6th February, 1901, from the Minister of the Interior, submitting herewith the joint Report, signed by Mr. W. F. King, Chief Astronomer of the Department of the Interior, and Mr. Otto H. Tittmann, of the United States' Coast and Geodetic Survey, the Commissioners appointed under the *modus vivendi* agreed to between Great Britain and the United States on the 20th October, 1899.

The Minister states that this Report, with the accompanying maps, exhibits the operations of the Commissioners, as regards the survey and demarcation under the provisions of the above-mentioned *modus vivendi*, of the provisional boundary-line between the territory of Alaska and the Dominion of Canada about the head of Lynn Canal.

The Minister recommends that the Report and maps be deposited, with the plans of survey and other documents of record, in the Department of the Interior having reference to the external boundaries of Canada, and that copies thereof be laid before Parliament.

The Committee, on the recommendation of the Minister of the Interior, advise that your Excellency be moved to forward a certified copy of this Minute, together with certified copies of the said mentioned Report and maps, to the Right Honourable the Secretary of State for the Colonies, for the information of His Majesty's Government.

All which is respectfully submitted for your Excellency's approval.

(Signed)

JOHN J. McGEE,

Clerk of the Privy Council.

Inclosure 3 in No. 6.

Joint Report by Messrs. Tittmann and King.

WE, the Undersigned, Otto H. Tittmann and William F. King, Commissioners, on behalf of the United States and Great Britain respectively, for the demarcation of the provisional boundary-line between Canada and the territory of Alaska, as provided for by the Agreement of the 20th October, 1899, submit the following report upon the field work of the said demarcation.

The Agreement relating to this provisional boundary-line, under the authority of which our operations were performed, was entered into by Honourable John Hay, Secretary of State of the United States, and Mr. Reginald Tower, Chargé d'Affaires of Her Britannic Majesty at Washington, and is as follows:—

“It is hereby agreed between the Governments of the United States and of Great Britain that the boundary-line between Canada and the territory of Alaska in the region about the head of Lynn Canal shall be provisionally fixed as follows without prejudice to the claims of either party in the permanent adjustment of the international boundary.

“In the region of the Dalton Trail, a line beginning at the peak west of Porcupine Creek, marked on the map No. 10 of the United States' Commission, the 31st December, 1895, and on Sheet No. 18 of the British Commission, the 31st December, 1895, with the No. 6500 thence running to the Klehini (or Klaheela) River in the direction of the peak north of that river, marked 5020 on the aforesaid United States' map, and 5025 on the aforesaid British map; thence following the high or right bank of the said Klehini River to the junction thereof with the Chilkat River, a mile and a-half, more or less, north of Klukwan, provided that persons proceeding to or from Porcupine Creek shall be freely permitted to follow the trail between the said creek and the said junction of the rivers into and across the territory on the Canadian side of the temporary line wherever the trail crosses to such side, and, subject to such reasonable regulations for the protection of the revenue as the Canadian Government may prescribe, to carry with them over such part or parts of the trail between the said points as may lie on the Canadian side of the temporary line, such goods and articles as they desire, without being required to pay any Customs duties on such goods and articles; and from said junction to the summit of the peak east of the Chilkat River, marked on the aforesaid map No. 10 of the United States' Commission with the No. 5410, and on the map No. 17 of the aforesaid British Commission with the No. 5490.

“On the Dyea and Skagway trails, the summits of the Chilkoot and White Passes.

“It is understood, as formerly set forth in communications of the Department of State of the United States, that the citizens or subjects of either Power, found by this arrangement within the temporary jurisdiction of the other, shall suffer no diminution of the rights and privileges which they now enjoy.

“The Government of the United States will at once appoint an officer or officers in conjunction with an officer or officers to be named by the Government of Her Britannic Majesty to mark the temporary line agreed upon by the erection of posts, stakes, or other appropriate temporary marks.”

Having met for conference relating to and preparations for the field work in Ottawa on the 18th, 19th, and 20th January, and at Washington on the 23rd and 24th April, we again met at Skagway on the 6th June, and forthwith proceeded to the work in the region of the Dalton Trail. This was completed by the middle of July. We then placed the necessary marks at the White Pass and the Chilkoot Pass and left Skagway, on our return eastward, on the 28th July.

In carrying out the demarcation the duties of the Commissioners were to identify the natural features named in the description and to trace out the line described, placing a sufficient number of marks to render the line easily recognizable.

The mountain peaks were readily and surely identified by means of the maps referred to in the Agreement, with the assistance of the photographs which had been used in the construction of those maps.

The “high” bank of the Klehini River is that bank which bounds the stony flat in which the river flows and marks the ordinary limit of its shifting channels, although at the same time this “high” bank may not be absolutely the bank of extreme flood water. This fulfils the intention of the Agreement by providing a natural and easily-traced mark, not subject to continual change, as would be the centre or edge of the river. The impossibility of adopting any other definition of “high” bank consistently was manifest from the conditions existing at or near the junction of the Klehini and the Chilkat Rivers, where the adoption of a bank rising above the highest flood-level would have produced a

result clearly not contemplated by the Agreement. At one place only—the flat on which stand posts Nos. 8, 9, 10, and 11—was it found difficult to trace out a “high” bank which would be sufficiently straight to form a convenient and unmistakeable boundary. This case will be hereinafter referred to again.

The artificial marks placed are bars of wrought iron, $1\frac{3}{4}$ inches square and 5 feet long. The lower ends were pointed, with ragged edges, to prevent the posts being easily pulled up. Near the top of the posts were fixed, by bolts, small rectangular targets of iron or brass, carrying the necessary inscription. This was, on the one side: “P.B.” (for Provisional Boundary), “1899, U.S.”; and on the other side: “P.B., 1899, Canada.” Most of the posts were painted red on the Canadian side and blue on the United States’ face.

Where the solid rock was not found the usual method of planting the posts was to dig a hole about 3 feet deep, and place therein a log 8 or 10 inches in diameter, into which the post was solidly driven. The earth was then thoroughly tamped on top of the log and around the post.

On the summit of White and Chilkoot Passes the posts were set in holes bored in the rock, and securely fixed by pouring in melted lead.

In the following description of the places of the posts the order of survey is followed nearly, and the posts are numbered (for purposes of reference merely, no numbers having been placed upon the posts themselves) from east to west in the Dalton Trail region, being in the opposite direction from the order of the description in the Agreement.

The initial point is the peak behind Klukwan Village, altitude, by the maps, 5,410 or 5,490 feet. This peak presents a sharp appearance to the west, and has not been marked by us. From it the line runs down the mountain side, in a direct line, to the post planted on the bank of the Klehini at its junction with the Chilkat River. The intervening distance is, except near the mountain summit, through large cotton wood and spruce timber, with much undergrowth. The line has been well cleared out.

Post No. 1 is at the foot of the steep part of the mountain, and is the last point from which Klukwan Peak can be seen until the observer has climbed above the timber line.

Post No. 2 is 1,166 metres from Post No. 1, and is at the point where a foot-path from the village of Klukwan crosses the line.

Post No. 3 is 924 metres from No. 2, and is on the east side of the Chilkat River, about 5 metres from the bank.

Post No. 4 is that above referred to as the post planted on the bank of the Klehini, near its junction with the Chilkat River and the terminus of the straight line from Klukwan Peak. It is 262 metres from No. 3.

No. 5 is 115 metres from No. 4, on the first point of the high bank from which a view can be had up the valley of Klehini River. The high bank here, and as far as Post No. 8, is coincident with the line of timber.

No. 6 is 3,390 metres from No. 5, and is just below the first bluff, or eroded bank, on the south side of the Klehini River above its mouth.

No. 7 is 3,750 metres, measured in a straight line from No. 6, but probably nearly 3 miles, if the high bank is followed. No. 7 is at the point where the Dalton road enters the river flat from the timber at the place known as Sunshine.

No. 8 is on the left bank of Herman Creek, at its junction with the Klehini, 1,055 metres from No. 7.

Nos. 9, 10, and 11 stand on an extensive flat, which has already been referred to, where the line of high bank is so irregular that it would have been difficult without the use of a great number of posts to mark out the line so as to be at once satisfactory in use and in strict accordance with the terms of the Agreement. For this reason, we would recommend that it be not attempted to follow the high bank between these posts, but that straight lines joining Nos. 8 and 9, 9 and 10, and 10 and 11, successively, be recognized as the provisional boundary-line at this place. No. 9 is 906 metres from No. 8; No. 10, 610 metres from No. 9; and No. 11, 586 metres from No. 10. No. 11 is at the upper end of the flat, near the beginning of a ragged, rocky bluff.

No. 12 is 1,546 metres from No. 11, on the bank of a narrow channel or the river flowing behind a wooded island. This post is on the side of the Dalton Pack Trail, near the point where the trail descends from the rocky bluff to the river flat.

From No. 12 to the mouth of the Porcupine Creek the line follows the edge of the timber.

Post No. 13 is just above the mouth of the Porcupine Creek, and also just above

the point where the road from the river flat to the town of Porcupine leaves the river. It is 4,965 metres from Post No. 12.

No. 14 is 1,460 metres from No. 13. The line from No. 13 to No. 14 follows the bank of a prominent branch of the Klehini River. This post was placed exactly on the line between the peaks called, in our field notes, North Boundary Peak (5,020 or 5,025 feet) and South Boundary Peak (6,500 feet).

From Post No. 14 the line turns south-westerly towards South Boundary Peak, and was cut through the timber to the summit of the highest wooded ridge.

Post No. 15 is on the first bench above the valley of the Klehini, about 25 feet higher than the flat, and is 458 metres from No. 14.

The line between Posts Nos. 15 and 16, up the side of the steep, wooded mountain, is marked by the sky-line cutting through the timber (large spruce and hemlock, with much underbrush).

No. 16 is on the side of the bare summit-ridge at the highest point from which the line through the woods is visible.

No. 17 is 380 metres from No. 16, on the first prominent summit above the wooded slope. This is the last post set on this line. From it a view is obtained as far as South Boundary Creek (6,500 feet), over a bare ridge gradually rising towards the peak, and unbroken except by a few hollows and ravines.

White Pass.—The summit of White Pass is marked by four posts, three of which are in a straight line, nearly east and west, and the fourth some distance to the east and to the southward of this line.

Post No. 2 stands on the rocky ledge a short distance south of the railway station upon which the two flagstaffs stand. It is about midway between the flagstaffs, and about 14 metres to the west of the railway track.

No. 1 is 80 metres west of No. 2, and on the highest point visible from No. 2.

No. 3 is 239 metres east of No. 2 and on the highest point in that direction visible from No. 2.

No. 4 was placed upon the watershed between the waters flowing to the Yukon and those flowing to the Skagway River, 582 metres from No. 3, at a point where the old trail from Skagway to Lake Bennett crosses the Pass.

It is necessary to explain here that the watershed of the White Pass is very irregular. This is shown by the accompanying sketch. Owing to the overlapping of the drainage systems, the actual divide or parting of waters does not afford a practicable boundary-line. We have therefore to recommend that the successive straight lines joining the four posts be recognized as the provisional boundary-line so far as they extend. It appeared to us unnecessary at the present time to mark the line further at this place.

Chilkoot or Taiya Pass.—The summit of Chilkoot Pass is marked by two posts. One was placed on a small rocky hummock at the lowest point of the divide, where the old Chilkoot Trail crosses.

The other post was set about 100 metres to the westward of this, on the summit of a rock overlooking a small depression in the dividing ridge through which another trail passed.

The appended table of geographical positions and distances of posts is based, so far as the Klehini region is concerned, upon a traverse made up the valley beginning from certain triangulation stations near Klukwan, which had been occupied by Assistant J. F. Pratt, of the United States' Coast and Geodetic Survey in 1894. The measurements of this traverse, which also afforded the data for placing on the accompanying map the high or right bank of the Klehini River, were mostly made with micrometer and are not absolutely accurate, though sufficiently so for descriptive purposes.

The positions on the White Pass were determined by reference to data furnished by the Chief Engineer of the White Pass and Yukon Railway.

No data were available for the geographical determination of the location of the posts on the Chilkoot Pass. The somewhat extensive survey which would have been necessary to supply these data seemed unnecessary in view of the well-defined ridge at this point.

In witness whereof we have hereunto set our hands at the City of Washington, this second day of November, 1900.

(Signed)

O. H. TITTMANN, *United States' Commissioner.*

W. F. KING, *Her Majesty's Commissioner.*

Signed in the presence of—

FRANK WALLEY PERKINS,

United States' Coast and Geodetic Survey.

APPENDIX.

GEOGRAPHICAL POSITIONS.

IN the Dalton Trail Region.

Name.	Latitude.	Longitude.	To Station.	Distance.
	° ' "	° ' "		Metres.
Klukwan Peak ...	59 24 42	135 49 39	...	...
Post No. 1 ...	59 24 39	135 52 45	Post No. 2 ...	1,166
" " 2 ...	59 24 38	135 53 59	" " 3 ...	924
" " 3 ...	59 24 37	135 54 57	" " 4 ...	262
" " 4 ...	59 24 36	135 55 14	" " 5 ...	115
" " 5 ...	59 24 38	135 55 20	" " 6 ...	3,390
" " 6 ...	59 24 29	135 58 55	" " 7 ...	3,750
" " 7 ...	59 24 51	136 02 49	" " 8 ...	1,055
" " 8 ...	59 24 46	136 03 55	" " 9 ...	906
" " 9 ...	59 24 53	136 04 51	" " 10 ...	610
" " 10 ...	59 24 53	136 05 29	" " 11 ...	586
" " 11 ...	59 25 00	136 06 04	" " 12 ...	1,546
" " 12 ...	59 25 15	136 07 38	" " 13 ...	4,965
" " 13 ...	59 25 35	136 12 50	" " 14 ...	1,460
" " 14 ...	59 25 23	136 14 22	" " 15 ...	458
" " 15 ...	59 25 23	136 14 42	" " 16 ...	3,950
" " 16 ...	59 23 51	136 17 36	" " 17 ...	380
" " 17 ...	59 23 42	136 17 53	...	...
S. Bdy. Peak ...	59 21 33	136 21 58	...	...
N. Bdy. Peak ...	59 27 33	136 10 35	...	...

AT White Pass.

Post No. 1 W. ...	59 37 27	135 07 32	Post No. 2 ...	80
" " 2 ...	59 37 27	135 07 27	" " 3 ...	239
" " 3 ...	59 37 26	135 07 12	" " 4 ...	582
" " 4 ...	59 37 17	135 06 39	...	...

No. 7.

Lord Pauncefote to the Marquess of Lansdowne.—(Received May 27.)

(No. 148.)

My Lord,

Washington, May 16, 1901.

I RECEIVED in due course the Marquess of Salisbury's despatch No. 222 of the 3rd October of last year with reference to the complaints of the Chilkat Indians as to the effect of the Alaskan boundary *modus vivendi*, and in which his Lordship authorized me to proceed to an arrangement with the United States' Government by which the Indians on both sides of the provisional line should receive the same treatment as heretofore.

Having inquired of the Earl of Minto what his wishes were on the subject, I received a despatch from his Excellency, dated the 11th January, upon which I addressed to the United States' Government the note, copy of which I have now the honour to inclose. I pointed out that the Dominion Government did not see its way to conceding to the Indians an unrestricted right of free passage across the boundary-line, but that they were prepared to instruct the Custom-house officers to pass the canoes, peltries, and usual effects of the Indians.

I have now received a reply from the Acting Secretary of State, copy of which I have the honour to inclose, in which he states that any arrangement contemplating the exemption of duty on goods otherwise dutiable is precluded by the Tariff Laws of the United States, and pointing out the reasons for which he thinks it unnecessary that the proposed arrangement should deal with the question of the duty on peltries, &c.

I have sent a copy of this note to the Governor-General of Canada.

I have, &c.

(Signed)

PAUNCEFOTE.

Inclosure 1 in No. 7.

Lord Pauncefote to Mr. Hay.

Sir,

Washington, January 17, 1901.

I HAVE the honour to inform you that I lost no time in communicating to the Canadian Government a copy of your note of the 1st September last proposing an arrangement for continuing to the Chilkat Indians on both sides of the provisional Alaska boundary the privileges heretofore enjoyed by them.

I have now received a despatch from the Governor-General of Canada in reply to my communication, pointing out to me that the proposal of your Government is based upon an assumption that these Indians have not acquired a domiciliary status on either side of the boundary-line, while the fact appears to be that on the United States' side of the line they are established as United States' citizens, and living in permanent houses.

His Excellency's Government are therefore unable to see their way, consistently with the due enforcement of the Customs Laws, to concede to these Indians an unrestricted right of free passage across the boundary-line; but they are willing to instruct customs officers in the districts referred to to pass free the canoes used by Indians, their peltries, and other usual effects, and to interpret these instructions in as liberal a manner as the necessity of preventing frauds upon the revenue will permit.

His Excellency adds that his Government would not bind themselves to continue this privilege for a longer time than two years from the present date, and they suggest that a reciprocal concession as regards Canadian Indians be made by your Government.

I have the honour to transmit herewith a copy of an approved Minute of the Privy Council of Canada, which was inclosed in his Excellency's despatch, and which sets forth in somewhat greater detail the views of the Dominion Government on this subject, and I should be glad to be favoured with your views of your Government as to the foregoing proposals.

I am, &c.
(Signed) PAUNCEFOTE.

Inclosure 2 in No. 7.

Mr. Hill to Lord Pauncefote.

Excellency,

Department of State, Washington, May 13, 1901.

REFERRING to your note of the 17th January last, expressing the willingness of the Government of the Dominion to allow, for a period of two years, to Indians living on the American side of the present provisional Alaskan boundary the right of free passage across that boundary with peltries, canoes, and other usual effects, and suggesting that this Government concede a like right to Canadian Indians, I have the honour to inform you that, in his letter of the 7th instant, the Secretary of the Treasury says that any such arrangement, contemplating the exemption from duty of goods which would otherwise be dutiable, is precluded by the Tariff Laws of the United States. The provision in the Act of the 28th August, 1894, exempting from duty "peltries and other usual goods and effects of Indians passing and repassing the boundary-line of the United States" was repealed by the Act of the 24th July, 1897. Such peltries and other effects imported from British North America are therefore now subject to the general provisions of the Tariff, and are dutiable or free accordingly.

Mr. Gage adds that he thinks the proposed arrangement is unnecessary to secure to the Chilkat Indians the continuance of the rights heretofore enjoyed by them. The *modus vivendi* provides "that the citizens or subjects of either Power found by this arrangement within the temporary jurisdiction of the other shall suffer no diminution of the rights and privileges which they now enjoy." Among their rights is that of hunting and fishing in the valley where they live, which has been regarded as territory of the United States. This right has been enjoyed by these Indians, as stated in their Petition, from time immemorial. There has been no occasion for the payment of duty on their peltries and other

effects, and no valid reason is perceived by his Department for the assessment of duty on such effects in any part of that valley now.

I have, &c.
(Signed) DAVID J. HILL,
Acting Secretary.

No. 8.

Memorandum by Mr. Larcom on Draft Treaty on Canadian Questions which accompanied Lord Pauncefote's Private Letter of May 10, 1901.

THE various Articles now submitted deal with the subjects included in the instructions to the Joint High Commissioners of the 19th July, 1898, with the exception of (1) the Alaska boundary, for dealing with which a separate Convention has been submitted; (2) the question of the fisheries off the Atlantic Coast; (3) cattle branding on the frontier; and (4) reciprocity.

ARTICLE I.

Fur-seal Fishery.

It was foreshadowed in the instructions to the British Commissioners, and decided very early in the negotiations of the High Commission, that a solution of this question should be sought on the lines now suggested, *i.e.*, by an Agreement for the cessation of pelagic sealing, and compensation to be paid by the United States' Government to the owners of sealing-vessels and others engaged in the industry.

It was felt that Great Britain, in consideration of her abandoning her national right to seal and enforcing the proposed prohibition, was entitled to some equivalent commercial concession with regard to some of the other questions in discussion.

The draft Article now suggested is practically identical with that submitted by the Joint Commissioners, and sent home by Lord Herschell in his despatch No. 1 of the 7th February, 1899, with the following exceptions:—

Clause 1, line 15: The words "or otherwise furnished to the proper jurisdictional authority with all reasonable promptitude" have been inserted.

Clause 1, line 22: "Undressed" has been inserted before "seal-skins."

Clause 2, line 3: "Great Britain" has been substituted for "Canada."

In the antipenultimate clause the High Commission draft contained, after the words "Pribyloff Islands," the following: "or which it is entitled to receive from any persons for or in respect of the right to take the same, after deducting from the gross amount aforesaid such proportion thereof as 20,000 bears to the number of the seals taken on the island."

With regard to the amount of compensation (which is left blank in the draft Article), Lord Herschell stated, when sending home his draft Agreement, that Senator Fairbanks had named 500,000 dollars as the limit to which the United States would be prepared to go as a settlement of the compensation to the sealers, leaving the vessels and their outfits in the possession of the owners; that this figure was a great advance on any previous proposal, and that it did not substantially differ from the sum which we had been prepared to accept, *viz.*, 600,000 dollars and a cession of their vessels and outfits by the owners.

With regard to the amount of the percentage to be paid annually by the United States out of their receipts from the seal-taking on the Pribyloff Islands, he added: "We considered that if the increase in the herd became very large owing to the cessation of pelagic sealing, the percentage to be paid should be proportionately increased. This was vehemently opposed by the United States' Commissioners. We ultimately made a modified proposal on a different basis. Taking, roughly, 20,000 as the number of seals which might be obtained on the islands even if pelagic sealing continued, we proposed that the percentage of the receipts to be handed over should only apply to the excess over 20,000 taken in each year, the effect of which would be to graduate the share of Canada, making it proportionately greater according as the growth of the herd became greater. This was assented to in principle by our American colleagues, but the percentage remains undetermined."

It was, no doubt, with a view of meeting this difficulty that the omitted clause above quoted was inserted.

ARTICLE II.

Provisions in respect of the Fisheries off the Pacific Coast and in the Inland Waters of the Common Frontier.

This was one of the subjects discussed by the Joint High Commission, and the present Article is practically identical with the draft Agreement which was submitted by the Committee and sent home by Lord Herschell in his despatch No. 8 of the 10th October, 1898.

The following trifling differences may be noted :—

Line 4, the words "the common frontier of" have been inserted after "contiguous to."

Clause 3, lines 11–12: "one year from the time when" have been inserted after "until."

Clause 4, line 11: "connecting" has been added between "its" and "bays."

Idem, line 21: "shall" substituted for "will."

ARTICLE III.

Transit of Goods in Bond.

and—

ARTICLE IV.

Transport of Passengers and Goods by Railroad.

Both these questions were dealt with by a Committee of the Joint Commission, and much time and labour was expended on the points involved. Representatives of both Canadian and American railways were summoned to Washington. Various proposals and counter-proposals were drafted, but no draft Agreement was arrived at.

Lord Herschell, who, with Senator Fairbanks, devoted much time to the question, came to the conclusion that no Treaty stipulation could be devised which would be entirely satisfactory, and that the existing state of things* might be allowed to continue without any risk of serious complications.

Lord Herschell's conclusions on this question are recorded in the Memorandum addressed to Senator Fairbanks, of which copies were sent home by Mr. Cartwright after his Lordship's death in his despatch No. 4 of the 3rd March, 1899.

ARTICLE V.

Canals and Lake Michigan.

Article V is no doubt inserted with a view of settling permanently and by Treaty the disputed question relative to the execution of Articles XXVII and XXVIII of the Treaty of Washington of the 8th May, 1871. By the former His Majesty's Government engaged to urge upon the Government of the Dominion to secure to United States' citizens the use of the Welland and other canals in the Dominion, on terms of equality with Canadians, in exchange for similar equality of treatment for British subjects in the United States' canals contiguous to the boundary.

The latter (Article XXVIII) further guarantees the freedom of the navigation of Lake Michigan to British subjects in terms identical with those employed in clause 5 of Article V of the present draft Treaty.

After prolonged discussion of the canal question and the imposition of retaliatory tolls by the United States in St. Mary Falls Canal, as against those imposed by Canada specially on food-stuffs passing through the Welland and St. Lawrence Canals, a *modus vivendi* was arrived at in 1892 which has lasted down to the present time.

This question was not among those which engaged the attention of the Joint Commission, or, at least, was not included specifically in their instructions, or, so far as I can see, in their Reports.

* The contiguity of territory between the United States and the Dominion of Canada led, many years ago, to an Agreement whereby the goods of one country can be shipped across the territory of the other without being subject to its customs law.

ARTICLE VI.

Alien Labour Immigration.

The present Article is identical in terms with the draft Agreement on this subject, which was submitted by the Sub-Committee of the Joint Commission, and sent home by Lord Herschell in his despatch No. 8 of the 10th October, 1898.

It will be seen from that despatch that the draft Agreement was not considered quite satisfactory by the Canadian Commissioners, and that Sir L. Davies was desirous that the word "unrestricted" should be inserted before "passage of persons" in line 3. The United States' Commissioners, however, considered that the proposed wording was sufficiently explicit, and the question was reserved for future discussion.

ARTICLE VII.

Mining Rights.

A draft Article in terms identical with those now employed was prepared by Mr. Kasson in consultation with Lord Herschell, but was not presented to the High Commission because Lord Herschell would not give his definitive consent to the last paragraph until the reciprocity negotiations should be further advanced.

The draft, however, contained an additional clause, forming an antipenultimate provision after clause 6 to the following effect:—

"Should any restrictions not equally applicable to all transfers of such property hereafter be imposed by law in either country upon the transfer of mining property or mining rights from citizens of the United States to the subjects of Her Majesty's Resident in Canada, or from the said subjects of Her Majesty to citizens of the United States, the right of the other country to enact corresponding legislation is hereby reserved." The last phrase of the Article "and belonging to the citizens or subjects of the other country" is also omitted.

The question is referred to in Lord Herschell's despatches No. 2 of the 29th August and No. 7 of the 11th October, 1898.

ARTICLE VIII.

Revision of Agreement of 1817 respecting Naval Vessels on the Great Lakes.

This question was fully discussed by the Joint Commission, and as a result Lord Herschell's American colleagues handed him a draft proposal which was sent home in his despatch No. 14 of the 2nd December, 1898. It was approved by Her Majesty's Government, but the question was not further discussed with the United States' Commissioners.

The present Article conforms to the model then suggested except in the following particulars:—

Clause 3, line 2: "unarmoured" is inserted before "vessels" in Lord Herschell's draft.

Clause 3, line 5: "six" guns of minor calibres are stipulated instead of "four."

In clause 4, line 2: after "revenue cutters" the words "for police and revenue service only" are added in Lord Herschell's draft.

Clause 5, line 5: after "high seas" the words "as herein provided but not otherwise." Line 6, "armed" is expanded in Lord Herschell's draft to "armour plated, armed, equipped." Lines 11-12: instead of "after it has been prepared to receive its guns," Lord Herschell's draft runs "after its completion and before the completion of any other such vessel," and instead of the final phrase "intermediate waterways" the terms of Lord Herschell's draft are "the waterways to the Atlantic seaboard."

The considerations which led to the adoption of the particular form and terms of Agreement submitted by Lord Herschell are explained in his despatch above referred to.

ARTICLE IX.

Conveyance of Prisoners under Custody.

and—

ARTICLE X.

Reciprocity in Wrecking and Salvage Rights.

Both these subjects were dealt with by the High Commission and Articles were drafted by the Sub-Committees. These Articles and the discussions which took place when these were submitted to the Commission are recorded in Lord Herschell's despatch No. 7 of the 30th September.

The present Articles conform textually to those drafted by the Committee, with the following trifling exceptions:—

In the antipenultimate clause of Article X, the phrase "shall restrict" has been changed to "shall be so construed as to restrict," and in the following line "proper" has been inserted before "salvage operations."

The last clause but one of Article X was not accepted by the British members of the Committee, and was only inserted in order that the point involved might be considered by the Plenary Committee.

ARTICLE XI.

Marking Boundary West of Lake Superior.

This subject, as well as the eastern boundary at Passamoquoddy Bay, was discussed by the Joint Commission, and is referred to in Lord Herschell's despatches No. 2 of the 29th August, 1898, and No. 8 of the 10th October, 1898.

With reference to the former, the American maps attached to the Ashburton Treaty were carefully examined after the Commission removed to Washington, and were found to bear out the contentions of the Canadian Government; the present Article was therefore drafted by a Committee composed of Sir R. Cartwright and Mr. Kasson, but was, for some unexplained reason, never submitted to the Plenary Commission.

It is now reproduced verbatim.

It may be noted that the United States' Government have, as reported in Lord Pauncefote's despatch No. 36 of the 4th February, 1901, recently agreed to the proposals of the Canadian Government for a completion of the demarcation of the whole boundary from Lake Superior to the Pacific, with a portion only of which the present Article would deal; and also for the demarcation of the eastern (Passamoquoddy Bay) section of the boundary, with respect to which no decision was arrived at by the Joint Commission. No difficulty was, however, anticipated with regard to it.

These questions would, in the opinion of the United States, be best dealt with by separate Conventions.

This Memorandum is intended merely to note the points of similarity or difference between the present Articles and the results of the discussions of the Joint Commission* where these were reduced into the shape of draft Articles, and to indicate the despatches in which those results were recorded.

A. L.

Foreign Office,
June 13, 1901.

* The position in which all the questions discussed by the Commission were left at the last meeting on the 20th February, 1898, is fully shown in Sir. Cartwright's Memoranda of the 25th and 27th March of that year.

No. 9.

Inquiry by the Lord Chancellor.

IS the Tribunal merely to report as to the proper boundary basing themselves upon the Treaties; or, should the Treaties not supply materials for making a sufficient recommendation, are they free to recommend what seems to them a proper boundary, and make any recommendation which may seem proper to them?

Lord Lansdowne, I annex a Memorandum by Lord Pauncefote in reply.

F. H. V.

Memorandum by Lord Pauncefote.

I HAVE no doubt from my conversations with Mr. Hay that the intention of the United States' Government in proposing the reference in its present form is to limit the power of the Arbitrators to deciding the questions distinctly submitted in Article IV. (See preamble stating desire to ascertain "true meaning and application of certain clauses.") If power be given them to depart from the strict interpretation of the Treaty, the Arbitrators will take refuge in a compromise which the Pacific Coast people violently oppose. If the Arbitrators should be equally divided on the strict interpretation of the Treaty, there is nothing to prevent them in their report under the last paragraph of Article VI, from adding any recommendation for an equitable settlement. This would, of course, have only a moral force, but it would facilitate further negotiations for a friendly settlement.

I think Mr. Hay would be much opposed to an express power being given to the Arbitrators to make recommendations and, indeed, such recommendations would derive no additional force from being expressly permitted.

P.

July 15, 1901.

No. 10.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, July 23, 1901.

I AM directed by the Marquess of Lansdowne to transmit herewith, for the information of the Secretary of State for the Colonies, and for confidential communication to the Earl of Minto and the Canadian Government, copy of a private letter from His Majesty's Ambassador at Washington, transmitting two draft Treaties which have been communicated unofficially by Mr. Hay,* one providing for the settlement by arbitration of the Alaska boundary dispute, the other containing suggested Articles for the adjustment of the majority of the questions which were discussed by the Joint High Commission, but which were left open at its close in 1899.

With reference to the latter Treaty, I am also to inclose copy of a Memorandum drawn up in this Department, which shows the points of similarity or difference between the proposals now submitted,† and the results of the discussions of the Joint Commission where these were embodied in the shape of draft Articles.

A considerable number of the present Articles are substantially identical with those sent home by Lord Herschell in 1898-99.

With regard to the draft Arbitration Treaty relative to the Alaska boundary, Lord Lansdowne desires to point out that the attitude previously adopted by the United States' Plenipotentiaries at the Joint Commission, and recorded in Mr. Choate's note of the 22nd January, 1900, as to the necessity of excepting from the perils of any arbitration all towns or settlements made by American citizens in good faith under the authority and actual jurisdiction of the Government of the United States, has not been maintained.

In the absence of any such limitation of the scope of the arbitration, his Lordship is disposed to think that the draft Treaty may be recommended to the acceptance of the Dominion Government.

* No. 5.

† No. 8.

In view of the informal manner in which these draft Treaties have been communicated to His Majesty's Government, Lord Lansdowne thinks that it should be impressed on the Canadian Government that they must be treated, for the present at least, as strictly confidential.

I am, &c.
(Signed) F. H. VILLIERS.

No. 11.

Colonial Office to Foreign Office.—(Received July 30.)

(Confidential.)

Sir,

Downing Street, July 29, 1901.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 23rd instant and to transmit to you, for the information of the Marquess of Lansdowne, copies of a telegram and a despatch which have been addressed to the Governor-General of Canada relative to the two draft Treaties which have been unofficially submitted to His Majesty's Government by the Government of the United States of America.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure 1 in No. 11.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Most Secret.)

(Telegraphic.) P.

Downing Street, July 27, 1901.

TWO draft Treaties have been received privately by Lord Pauncefoot from Mr. Hay, one for settlement of Alaska question by arbitration, the other for settlement of majority of other questions discussed by Joint High Commission not, however, including Reciprocity and Atlantic Fisheries.

Alaska Treaty provides for appointment of six impartial jurists of repute, three by each party, who shall consider in settlement of questions referred to them British and United States' Conventions with Russia of 1825 and 1867, particularly Articles III, IV, V, and VII of former; also "take into consideration any action of the several Governments or of their respective representatives, preliminary or subsequent to the conclusion of said Treaties, so far as the same tends to show the intendment of the Parties in respect to the limits of their several territorial jurisdictions under and by virtue of the provisions of said Treaties."

Questions to be answered and decided by Tribunal are:—

1. Referring to Article III of said Treaty of 1825 between Great Britain and Russia, was it intended thereby that the line of demarcation should be traced from the southernmost point of the island, now known as the Prince of Wales Island, along the parallel of 54° 40' north latitude to the passage now commonly known and marked on the maps as the "Portland Channel," and thence along the middle of said channel northward until said northward line shall reach on the mainland of the Continent the 56th degree of north latitude?

If not, how should said line be traced to conform to the provisions of said Treaty?

2. In extending the line of demarcation northward from said point on the parallel of the 56th degree of north latitude, following the crest of the mountains situated parallel to the coast until its intersection with the 141st degree of longitude west of Greenwich, subject to the condition that when such line should exceed the distance of 10 marine leagues from the ocean, then the boundary between the British and the Russian territory should be formed by a line parallel to the sinuosities of the coast and distant therefrom not more than 10 marine leagues, was it the intention and meaning of said Convention of 1825 that there should remain in the exclusive possession of Russia a continuous fringe or strip of coast on the mainland, 10 marine leagues in width, separating the British possessions from the bays, ports, inlets, havens, and waters of the ocean, and extending from the said point on the 56th degree of latitude north to a point where such line

of demarcation should intersect the 141st degree of longitude west of the meridian of Greenwich?

If not, how should said line of demarcation be traced to conform to the provisions of said Treaty?

When the High Contracting Parties have received the decision of the Arbitrators, they "will at once proceed with negotiations for the final adjustment and demarcation of the said boundary line in conformity with such decision."

From above, which is material substance of draft, it will be seen that it is no longer proposed specifically to exempt all or any existing United States' Settlements from perils of arbitration.

His Majesty's Government are dealing at present time with questions of Clayton-Bulwer Treaty and Nicaragua Canal, and think that they may get better terms in connection with Alaska question if treated at same time.

We consider it of utmost importance to have your Ministers' assent to proceed on basis of draft Treaty, as if boundary question further delayed the advantage that our readiness to settle Canal question gives us may be lost.

It is of utmost necessity that absolute secrecy should be maintained with regard to present proposals.

Despatch follows with copies of the draft Treaties.

Inclosure 2 in No. 11.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Secret.)

My Lord,

Downing Street, July 29, 1901.

I HAVE the honour to transmit to you for Confidential communication to your Ministers copies of the draft Treaties stated in my telegram of the 27th instant to have been received privately by Lord Pauncefoot from the United States' Secretary of State, the one providing for the settlement of the Alaska Boundary dispute by arbitration and the other containing suggested articles for the adjustment of the majority of the other questions discussed by the Joint High Commission in 1898-9.

2. It should be understood that both of these drafts are tentative only, and in view of the private and informal manner in which they have been submitted, your Ministers will recognize the necessity of treating them for the present at least as strictly Confidential.

3. The contents of the draft Treaty relative to the Alaska Boundary have been summarized in my telegram above quoted.

4. As regards the draft General Treaty, your Ministers will observe that while it deals with most of the questions referred to the Joint High Commission it makes no suggestion for the settlement of the Reciprocity and Atlantic Fisheries questions.

5. From the despatches of the late Lord Herschell with which your Ministers have been furnished they will be able to compare the provisions of the draft General Treaty with the results of the discussions of the Joint High Commission, but for convenience' sake I inclose a Memorandum which has been prepared at the Foreign Office showing the points of similarity and difference between the proposals now submitted and the draft Articles sent home by Lord Herschell in 1898-1899.

6. A considerable number of the Articles now submitted are substantially identical with those provisionally negotiated by the Joint High Commission. Into the points of difference I need not enter at this stage, except to remark that the draft Article respecting armament on the Great Lakes in its present form departs on several points of the highest importance from the arrangement previously proposed by the United States' Government and approved by His Majesty's Government.

7. I shall be obliged if your Ministers will give their early and careful consideration to these Treaties and if you will report the result to me with the least possible delay.

I have, &c.

(Signed)

J. CHAMBERLAIN.

No. 12.

Colonial Office to Foreign Office.—(Received August 12.)

(Confidential.)

Sir, *Downing Street, August 10, 1901.*
 WITH reference to the Confidential letter from this Department of the 29th ultimo, I am directed by Mr. Secretary Chamberlain to transmit to you, for the information of the Marquess of Lansdowne, a paraphrase of a telegram from the Governor-General of Canada relative to the two draft Treaties which have been unofficially submitted to His Majesty's Government by the Government of the United States of America.

2. Mr. Chamberlain will await the further communication promised in this telegram before expressing any opinion on the subject.

I am, &c.
 (Signed) H. BERTRAM COX.

Inclosure in No. 12.

Governor-General the Earl of Minto to Mr. Chamberlain.(Telegraphic.) P. [Received August 7, 1901.]

REFERRING to your telegram of the 27th July, Premier is absent in the Gulf of St. Lawrence, but have succeeded in communicating your telegram, and he has replied that he considers United States' proposal most insidious, and suggests that I should send following answer:—

“My Ministers are willing now, as always, to submit boundary question to arbitration of jurists, but they object to proposed number of Arbitrators, and they propose five, two appointed by Great Britain, and two by United States, and one by both countries; would agree to seven, but insist on uneven number in order that Award reached may be certainly final. To such a Tribunal they would refer interpretation of Treaty with all the issues arising from subsequent events. They never can agree to questions proposed by United States, as all our Treaty rights would thereby be surrendered. They believe that if Atlantic fisheries question is removed from Settlement, Behring fisheries and canal navigation should also be removed.”

Prime Minister returns Saturday, and will send further answer to despatch coming by mail.

No. 13.

Mr. Lowther to the Marquess of Lansdowne.—(Received August 22.)

(No. 204.)

My Lord, *Newport, R.I., August 10, 1901.*

WITH reference to Lord Pauncefote's despatch No. 148 of the 16th May, regarding the complaints of the Chilkat Indians as to the effect of the Alaskan Boundary *modus vivendi*, I have the honour to transmit to your Lordship herewith copy of a communication from the United States' Government, regarding a protest stated to have been drawn up by the Kluckwan Indians against a tax on canoes levied by the Canadian authorities.

I have forwarded a copy of this communication to the Earl of Minto.

I am, &c.
 (Signed) GERARD LOWTHER.

Inclosure in No. 13.

Mr. Adee to Mr. Lowther.

Sir, *Department of State, Washington, August 7, 1901.*
 REFERRING to the Department's note of 13th May last, relative to the exemption from customs duties of the effects of the Indians living near the provisional boundary-line between Alaska and the Dominion, agreed upon between the United

States and the United Kingdom, I have the honour to inform you that the Secretary of the Treasury, on the 3rd instant, transmitted a letter from Mr. J. O'Connor, of Haines, Alaska, in which he states that on the 8th ultimo, the Kluckwan Indians held a meeting in which they protested against a tax of 4 dol. 25 c., which was being levied by the Canadian customs officials on each canoe of the Indians used on the Chilkat River.

Mr. O'Connor, writing that he was appointed the scribe of the meeting to bring its protest to the attention of this Government, continues, saying that the Indians have always fished from one-half a mile to 12 miles above the present provisional boundary, that they always get their game and wood above the boundary also, that at this time of the year they put up their winter fish, and that this tax upon their canoes is very unwelcome and works serious hardship upon them.

I have, &c.
(Signed) ALVEY A. ADEE,
Acting Secretary.

No. 14.

Colonial Office to Foreign Office.—(Received September 7.)

THE Under-Secretary of State for the Colonies presents his compliments to the Under-Secretary of State for Foreign Affairs, and is directed by the Secretary of State to transmit, for perusal and return, with reference to the letter from the Foreign Department of the 12th April, a copy of a Report by the Canadian Special Commissioner under "The Porcupine District Commission Act, 1900," on the Porcupine-Chilkat districts.

Downing Street, September 6, 1901.

Inclosure in No. 14.

Extracts from Report under "The Porcupine District Commission Act, 1900," by the Honourable Archer Martin, Special Commissioner, with Observations on the Porcupine and Chilkat Districts.

To his Honour the Honourable Sir Henri Gustave Joly de Lotbinière, Lieutenant-Governor of British Columbia :

Sir,

ON the 23rd day of August, A.D. 1900, a Commission issued to me under the provisions of "The Porcupine District Commission Act, 1900," and the Public Inquiries Act, and, pursuant to the requirements of the latter Statute, I have the honour to report as follows :—

I arrived at Skagway, Alaska (on my way out from holding the Assizes at Atlin, British Columbia), on the 8th day of September last, and next day entered upon the duties of the Commission. Owing to the regular steamer, the "Alert," having broken her shaft, we were unable to leave Skagway, on Dyea Inlet, for Haines Mission, on Chilkoot Inlet, Lynn Canal, till 10.30 o'clock on Tuesday morning, the 11th September, which we did in a small 5-ton gasoline launch, the "Mabel," chartered for that purpose. There were with me Mr. J. D. Graham, of Atlin, Government Agent and Gold Commissioner; Mr. Louis J. Seymour, Secretary; Mr. Robert Patrick, clerk; and Provincial Police-constable William Vickers. The Provincial Mineralogist, Mr. W. F. Roberston, then returning from Atlin, took advantage of the opportunity to visit the Porcupine District in his official capacity, and joined our party at Skagway, as did also Mr. Robert Cassidy.

With our camp equipage, supplies, and baggage, we made a top-heavy load for the little steamer, but fortunately the high winds for which the Lynn Canal is notorious were not blowing that day, and we arrived at Haines Mission, 17 miles from Skagway, at 1 o'clock.

The village of Haines Mission, Alaska, is pleasantly situated on a protected bay named Portage Cove, immediately surrounded by gently sloping land. There are a Presbyterian Mission (established in 1881), two or three trading stores, a comfortable

hotel (the Northern), and other buildings, and a modern Chilkoot village, called Déshu ("Half-way") of about eighty huts. It had been our intention to walk across the peninsula from Haines Mission to the Chilkat Cannery, and thence cross the inlet to Pyramid Harbour, where Mr. Jack Dalton has a ranch, and take our baggage by pack-horse over the Dalton Trail to Porcupine City, but meeting Mr. Dalton at Haines we learned that he could only supply saddle-horses, having lately sold most of his pack-animals. It was consequently decided to give the baggage to Indians to take up the Chilkat River in canoes to Long Bridge on the west bank of the river, whence it could be taken to Porcupine City by Dalton's waggon.

At Haines we found Corporal Todd, of the North-West Mounted Police, and four men, *en route* to Dalton Post (Pleasant Camp). They had been waiting two or three days to get up the river in canoes, but were prevented by the wind blowing down stream.

We started from Haines at about 3 o'clock and walked across the neck of land behind the village over a mile to Chilkat Inlet, which is here a great shallow expanse, largely exposed by the tide, and partly marshy. At its upper end are McClellan Flats, through which the swift and muddy Chilkat River, here 2 miles wide, flows in many channels. Following up the east shore of the inlet for about a mile and a-half, we reached, this side of Ranche Point, the Chilkat village of Yendestaka,* at the head of tide-water, and a little above that point were overtaken by Dalton in a large canoe, in which we embarked and poled up against the swift current for about 2½ miles, till we reached Murphy's Flat on the other side of the stream, and some 6 miles above Pyramid Harbour, where the Dalton Trail begins. Murphy's Flat is a stopping-place on the trail, owned by Dalton. Here we stayed the night. Dalton had got saddle-horses for our party, but the North-West Mounted Police were left behind at Haines, there not being enough horses. We started next morning, Wednesday, the 12th, at 9·35, and arrived at Long Bridge at 3·45, about 15 miles from the flat. The day was fine and the trail surprisingly easy, considering the country. Its highest point was 1,300 feet. Long Bridge is also a stopping-place on the trail, in the midst of a cotton-wood "bush," about a third of a-mile in a direct line from the Chilkat River, and nearly opposite the Chilkat village of Kat-kwaltu, on the east bank. Next morning, the 13th, at 9·10, we left Long Bridge, reached the Little Salmon River at 9·45, crossed at 10·40, by a truss bridge, a deep stream, the outlet of Chilkat Lake, and shortly afterwards the Big Salmon (Tisku, or Tsirku) River, and then at 10·50 reached what was known as "Walkerville," now only the fire-swept remains of two or three log houses. Shortly before 12 we reached Camp Sunshine, on the south bank of the Klehini† River, and saw one of the iron provisional boundary-posts, planted sideways to the river. On it is written on one side, "P.B. Canada, 1899," and on the other, "P.B.U.S., 1899." Half the post is painted red—on the Canadian side, and the other half blue—United States' side. At this place are two or three log and canvas houses, and one or two miners were at work. Crossing the boundary-line we entered the bed of the river, all of which, by the terms of the Canada-Alaska Boundary Agreement of the 20th October, 1899 (the *modus vivendi*), is provisionally placed within our jurisdiction.

Following up the wide bed of the river and crossing the winding and ever-shifting main channel five times, and making innumerable crossings of branch streams, we reached at 1·35 the mining village of Porcupine "City," situate in Alaskan territory, on the south (right) bank of the river, just above the junction with Porcupine Creek.

Though public notice had been given that the Commission would sit on Saturday, the 15th, the date had to be postponed owing to the non-arrival of the camp equipage, baggage, records, &c. It was expected that they would have been brought up to Porcupine City on the night of the day on which we arrived, but owing to strong contrary winds blowing down the Chilkat River the Indians were unable to get their canoes up the stream to Long Bridge, and it was not till Sunday afternoon, the 16th, that the baggage arrived, and also the Mounted Police. The tents (two) were put up as soon as possible at Commissioner's Camp,‡ on the bed of the Klehini River, in Canadian territory, just across the provisional boundary-line, about three-quarters of a-mile from Porcupine City.

* In the spelling of these Indian names in territory provisionally within the jurisdiction of the United States, I have followed that adopted by the "United States' Coast and Geodetic Survey, Pacific Coast Pilot, Alaska," Part I. Washington, 1883, pp. 194-200.

† This is the proper spelling of the word, as settled by the Board of Geographical Nomenclature.

‡ Site marked by large blazed cotton-wood. (See the File-Book accompanying this Report.)

The Commission was formally opened at 5 P.M. on Monday, the 17th. The Secretary reading the following documents:—

1. Canada-Alaska Boundary Agreement of the 20th October, 1899. (*Modus vivendi*.)

2. Porcupine District Commission Act, 1900.

3. Commission.

Which being done, I made this statement:—

"Seeing that the three documents which have just been read set out the scope and object of this Commission, it is only necessary that I should add a few words for the further guidance of those concerned. It is suggested that all those who have staked claims within the territory which has, by the *modus vivendi*, been temporarily placed under the jurisdiction of Canada, should apply without delay to have their titles to such claims confirmed by this Commission and also recorded under the British Columbia Mining Laws, in order to prevent the possibility of such titles being questioned hereafter, and to preserve to the fullest extent all the rights and privileges which the holders of valid locations are entitled to under the laws of the United States. In said cases the locators are, in the first instance, referred to the British Columbia Government Agent, who is prepared to receive applications, and will, later, and as soon as may be, bring them before the Commission.

"In the case of any dispute between locators under the laws of either nation which it is desired should be adjudicated upon and finally determined by the Commission, application should be promptly made by way of Petition; and would-be petitioners are referred to the Secretary for further information and guidance.

"I hereby declare the Commission opened for the transaction of business, and call upon those who have anything to bring before it to come forward and they shall be heard."

Copies of this statement were posted on the camp notice-board, and at Dalton's trading store in Porcupine City, the central point for that neighbourhood.

I should here state that Captain Rant, the Deputy Mining Recorder at Dalton Post (Pleasant Camp), some 6 miles further up the river on the north (left) bank, joined us at Porcupine, and remained in attendance during the sitting of the Commission.

The Act under which the Commission issued recites that "on account of the uncertainty as to the boundary-line between Canada and the United States of America, disputes have arisen, and are likely to arise, as to the location, ownership, and size of quartz and placer mining claims in the Porcupine District," &c. On inquiring into the matter I found that, so far as could be ascertained, 164 mining locations had been made, and seven water rights taken up under the United States' laws in that part of the disputed territory provisionally placed under the jurisdiction of Canada by the *modus vivendi* (20th October, 1899), a clause whereof provides that "the citizens or subjects of either Power found by this arrangement within the temporary jurisdiction of the other, shall suffer no diminution of the rights and privileges which they now enjoy."

Of the said locations, 92 (84 placer and 8 lode) were made *before* the date of the *modus vivendi*; and 72 (71 placer and 1 lode) *afterwards*; and 3 water rights were taken up before, and 4 afterwards.

Considerable publicity was designedly given in Alaskan and other newspapers to the movements of the Commission (as may be seen by reference to the extracts in the accompanying File-Book), in order that all concerned could come before it if they felt so disposed, and on the arrival of the Commission at Porcupine many inquiries were made by the miners and prospectors there as to its scope and objects, and the intention expressed* of availing themselves of its privileges. Shortly after my arrival I received an intimation that representatives of the claim-owners wished to interview me in order to discuss matters which would come before the Commission, but I replied that it would be better to discuss all matters publicly after the Commission began its sittings. I was also asked to state if the claims which were staked in British Columbia under United States' laws *after* the *modus vivendi* would be confirmed by the Commission; but I answered that it would not be proper to give any indication of what course would be followed in such case, and consideration of the matter would be reserved till the question formally came before the Commission for adjudication.

After the Commission opened, for some days no one appeared to make application. Accordingly, on the 20th, I caused notices to be posted at the camp, along the trails, and in Porcupine City, at Dalton's, and elsewhere that the Commission would be closed

* Similar expressions were heard by me at Skagway.

on Wednesday, the 26th September, at 5 P.M., therefore applications should be made without further loss of time. On that day two applications were made and partially considered, and directions given for the proper proceedings to be taken, but the parties concerned not following up the matter no final decision was arrived at.

No further applications being made, and a large number of the population of Porcupine City having "stampeded" down the river to a new strike which had been made on tributaries of the Chilkat River (Bear, Clear, and Buff Creeks), in Canadian territory, about 20 miles above the Chilkat village of Klukwan, I considered it an useless expense to further prolong the sittings of the Commission, so declared it closed on Wednesday, the 26th, pursuant to said notice.

It is desirable to give the main reasons—as reported to me—why the claim-owners did not appear before the Commission, except as stated.

The provisions of the *modus vivendi* appear to have been distasteful to a number of the residents of Porcupine District, as well as others, and the Presidential election coming on, considerable political attention was given to the matter. In July 1900 a Petition was addressed to the President of the United States by certain residents of Porcupine, protesting against the provisional boundary, and at the request of the petitioners the Seattle Chamber of Commerce took up the matter and memorialized the Executive, through the Honourable the Secretary of State, in support of the Petition. The Secretary of State replied by letter of the 3rd August, 1900, to the said Petition, the concluding paragraph of his reply* being as follows:—

" . . . The rights of the United States in the matter of the Treaty boundary are absolutely intact, and their assertion in due time will be earnest and thorough. In the meantime this Government foregoes no part of its rights and power to protect its citizens in the Porcupine Creek region, whether they be temporarily within American or British jurisdiction, in the full enjoyment of all rights and privileges which they had before the *modus* was concluded, and to see that their freedom of access and exit, with their goods, is not unreasonably impeded."

In order to understand the situation it should be borne in mind that the claims located under United States' laws and local rules and regulations generally contained 20·66 acres in area, while under British Columbian laws similar claims (placer) are only 100 feet in length, an area which is as inadequate for such mining purposes as that of the United States' claims is extravagant. The owners of many locations staked, after the *modus vivendi*, under United States' laws, in territory then within Canadian jurisdiction, wished to avoid bringing the question of the validity of their titles before the Commission, and aided by other interested persons, who were animated by motives no more praiseworthy, they succeeded in inducing other locators whose locations were duly made before the *modus vivendi*, and who were at first desirous of having them confirmed by the Commission, to join with them in "boycotting" it. I am credibly informed that the argument which had most weight in bringing about this arrangement was that if the United States' locators resorted to the Commission they would thereby prejudice their titles in case they should later be brought before United States' Courts, when the provisional boundary-line should be moved back, and the district once more placed under United States' jurisdiction, an event which was represented as about to take place in the near future, presumably shortly after the elections. Other arguments were advanced, mainly founded on the paragraph above quoted from the reply of the Secretary of State, placing a construction thereupon which I have no doubt was never contemplated by the Minister. But, however that may be, it is unnecessary to further consider them, for whatever were the reasons which influenced the miners of Porcupine, the result has been seen.

I may say that even before I left Porcupine it was made known to me that some of the claim-owners already doubted the wisdom of the course they had been led to adopt.

It should be stated that the matter of expense did not deter the miners, because all international questions under the *modus vivendi* were referred to me by the Government Agent, and there were no fees in such matters.

I need only add that it seems regrettable that the owners of United States' locations did not avail themselves of the opportunity, so handsomely accorded them by our Government, of having their claims confirmed by the Commission and recorded under the laws of this province, because, from the information I gained as to the manner of making United States' locations prevailing in the Porcupine District, it was specially desirable that the claim-owners should have seized the opportunity of forestalling possible

* Copies of all these documents, which will repay perusal, will be found in the File-Book.

litigation and preserving the peace of the district, particularly in view of the fact that they had before them the object lesson of one murder already committed in Porcupine, arising out of a dispute over a mining claim.*

On Thursday morning, the 27th, at 10 A.M., I left Commissioner's Camp, and, accompanied by Mr. Seymour, went down the Klehini River in a canoe skilfully managed by a Stick Indian, and reached by about 1 o'clock, after several stops, the junction of the Chilkat, where there is an iron post in the bank marking the boundary. Some twenty-five minutes later we arrived, 4 miles lower down, at Klukwan, the principal and ancient village of the Chilkats, formerly notorious, even so far back as Vancouver's time, as being the most powerful and intelligent branch of the great Tlingit family. There are about seventy houses in Klukwan, and it contains much of interest to the ethnologist and the antiquary. Here we had to stop over night owing to a strong wind up the river. We started at 7:30 next morning, and at 8:5 reached Kat-kwatu, a small Chilkat village of some seven or eight houses, where I stopped half-an-hour; passed Murphy's Flat at 11:10, and reached Portage Point (sometimes locally called Jones Point), on Chilkat Inlet, at 12:40, and then walked about $1\frac{1}{2}$ miles to Haines Mission. The distance from Klukwan to Haines Mission, as the crow flies, is about 20 miles, but I am informed that by the twisting and winding channel the distance is nearly 30 miles. All the way down the Chilkat we met many canoes filled with prospectors and others going up the stream, the prospectors being attracted by the report of the "strikes" on the creeks above Klukwan. The steamer "Alert" being late, we did not arrive at Skagway till very early next morning, the 29th, and left for Victoria that same evening at 9:30 by the "City of Seattle," arriving on the 3rd October.

Seeing that a railway is spoken of from Pyramid Harbour, and that a considerable number of prospectors and others are likely to go into the Porcupine and Chilkat country this coming summer, I think it desirable to give in an Appendix to this Report some observations on the district, which may be of use to those intending to visit it, and of interest to others.

There will be found in the accompanying File-Book a collection of public and other documents and records, Alaskan Mining Laws, maps, photographs, extracts from newspapers, &c., containing a large amount of varied information relating to the district.

Submitting, respectfully, the foregoing, I have, &c.

(Signed)

ARCHER MARTIN,

Special Commissioner.

Victoria, December 31, 1900.

No. 15.

Colonial Office to Foreign Office.—(Received September 14.)

(Confidential.)

Sir,

Downing Street, September 14, 1901.

WITH reference to the letter from this Department of the 10th ultimo, respecting the draft Treaties privately submitted by Mr. Hay to Lord Pauncefote for the settlement of the Alaska boundary dispute and other outstanding questions, I am directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Lansdowne, copies of a further telegram and a despatch which have been received from the Governor-General of Canada on the subject.

2. It will be observed from Sir W. Laurier's letter to Lord Minto that the purport of the telegram from this Office of the 27th July has to some extent been misunderstood. Mr. Chamberlain proposes, therefore, if Lord Lansdowne concurs, to telegraph to Lord Minto in the terms of the accompanying draft, with a view to clearing up the situation.

3. Sir J. Anderson is due at Quebec on the 16th instant, and Mr. Chamberlain thinks that it would be useful if he could discuss the points arising out of the draft Treaties with the Canadian Government personally. A suggestion to this effect has been accordingly embodied in the draft telegram to Lord Minto.

I am, &c.

(Signed)

C. P. LUCAS.

* Another shooting of a rival claim-owner has since been reported, though this time, happily, without a fatal termination.

Inclosure 1 in No. 15.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Secret and Confidential.)

(Telegraphic.)

[Received August 24, 1901, 8 A.M.]

MY Government respectfully but unequivocally decline their assent to proposed Treaties with United States. Chief objections to first Treaty are that second question proposed to be submitted to Arbitrators is based on a false interpretation of Treaty of 1825, by which quantity of territory undoubtedly belonging to Canada, and extending some 15 miles beyond present provisional frontier would be brought into arbitration, while on the assumption contained in question Dyea and Skagway would be exempt from perils of arbitration. The three American jurists would, they consider, hold that under reference the only point for them to decide is the width of strip which is to separate British possessions from all waters, even territorial waters. In this way United States' Settlements are exempt from arbitration. My responsible advisers recognize urgent advisability of arbitration but object to number of Arbitrators, which would not insure finality, and consider a seventh member necessary; they might, however, be prepared to reconsider the possibility of Court as at present proposed, but to the terms of reference they absolutely object.

With regard to second Treaty, they object to basing a Treaty upon the negotiations of the Joint High Commission, so far as they had proceeded, and point out that though Treaty omits Atlantic fisheries, Section 3, 4, confers advantages long demanded by American fishermen. All the subjects referred to the Commission, except Atlantic fisheries, should in their opinion be left to the Commission itself. Despatch follows by mail.

Inclosure 2 in No. 15.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Secret.)

Sir,

The Citadel, Quebec, August 23, 1901.

OWING to the recent absence of Sir Wilfrid Laurier on a cruise in the Lower St. Lawrence, I was unable at once to obtain any definite reply from him to your Secret cable despatch of the 27th July; I have now, however, the honour to inclose a letter which he has addressed to me, in which he expresses the views of my Ministers on the draft Treaties contained in your Secret despatch of the 29th July.

The Prime Minister's letter deals so fully with the proposals submitted that it needless for me to attempt further to express the opinion of my Government, but I may say that before the receipt of Sir Wilfrid's letter to myself, I had talked the question over with him during an interview at Ottawa, and had pointed out to him the possible advantage to Canada of a consideration of the Alaska frontier question proceeding simultaneously with the Nicaragua Canal negotiations. He replied that there was no indication in either draft Treaty of any lenient consideration of Canadian claims.

My first impression of the United States' proposals affecting the Alaska frontier was that they would throw Dyea and Skagway into arbitration; but if Sir Wilfrid's opinion of the view the United States' Arbitrators would take of the reference to them is correct, the position of the two American Settlements will be no way questioned; and, in reply to a suggestion of mine, that possibly the last clause of the question, viz., "If not, how should said line of demarcation be traced to conform to the positions of said Treaty?" (section 2, Article IV) might give an opening to the Arbitrators to accept the Canadian reading of the Treaty of 1825, he assured me that as such reading was outside the reference, he felt convinced that no American Arbitrator would consent to consider it.

Sir Wilfrid would welcome arbitration, provided he could approve of the composition of the Court, or would accept a *quid pro quo* for the resignation of rights to which he considers Canada entitled by Treaty.

As regards the reassembling of the Washington Commission, as to which he has always been very sanguine, he informed me that he had now given up all hopes of it, and that he had had a most unsatisfactory letter from Senator Fairbanks; but he was pressed for time, and did not give me Senator Fairbanks' opinions.

Sir Wilfrid, of course, recognizes that the non-assembly of the Commission must bring under consideration the question of separate negotiations between Newfoundland and the United States, whilst, as I have said in former correspondence, he considers any final settlement with Newfoundland in the direction of her entering into Confederation, entirely dependent upon the previous settlement of the French Shore question, and he again alluded to what he believes, from the conversations with M. Kleckowski (French Consul-General at Montreal), to be an inclination of France to negotiate on that question, but told me he would prefer not to repeat his views—referring no doubt to correspondence which had passed some time since between MM. Déléclasse, Kleckowski, and himself, of which I had the honour to inform you at the time.

I have, &c.
(Signed) MINTO.

Inclosure 3 in No. 15.

Sir W. Laurier to Governor-General the Earl of Minto.

(Secret.)

My dear Lord Minto,

Ottawa, August 14, 1901.

ON the receipt of the Secret telegraphic despatch of the 27th July from the Colonial Office, I at once stated to your Excellency the insuperable objections which, in my opinion, existed against the adoption of the terms proposed by the United States for the settlement of the Alaska boundary, and likewise for the adjudication of some of the questions which were referred to the Joint High Commission.

The communication which has since followed of the drafts of the two proposed Treaties has only confirmed the objections which I first expressed to your Excellency, and after full consultation on the whole subject with the Cabinet, it becomes my duty to lay before your Excellency, for communication to Mr. Chamberlain, the views which make it imperative upon us to, respectfully and unequivocally, decline our assent to the proposed Treaties.

The first of these Treaties proposes the creation of a special Court of Arbitration, composed of six eminent jurists, to be selected in equal numbers respectively by each of the Contracting Parties, and the majority of which could make an award. To this Tribunal would be referred not the interpretation of the Treaty of 1825 between Great Britain and Russia, but the determination of certain questions arbitrarily drafted, and on the determination of which would depend the ultimate fixation of the boundary.

Before proceeding any further, I desire, at the earliest moment, to state to your Excellency that the Cabinet have not failed to notice the following very suggestive words of the despatch of the 27th July:—

“His Majesty’s Government are dealing at present time with questions of Clayton-Bulwer Treaty and Nicaragua Canal, and think they may get better terms in connection with Alaska question, if treated at the same time.”

“We consider it of utmost importance to have your responsible advisers’ assent to proceed on basis of draft of Treaty, as if boundary question further delayed, we may lose advantage that our readiness to settle Canal question gives us.”

The inference is here plain, that, in agreeing to arbitration on the terms set forth, the United States have made a concession which we should not be slow to adopt, as in the negotiations for the modification of the Clayton-Bulwer Treaty, His Majesty’s Government has a vantage ground which may not recur again.

To this last consideration ready assent must be given. The Nicaragua Canal negotiations may offer a propitious occasion for concessions elsewhere on the part of the United States, but the advisers of your Excellency submit with great force, that, in the proposed Treaty, the United States make no concession whatever; that, on the contrary, the terms proposed are absolutely outside the Treaty of 1825, and most unfair to the claims of Canada.

In the first place, with regard to the creation of a Court of Arbitration composed of six jurists, three to be selected by Great Britain and three by the United States, I may observe that this is not by any means a new proposition. His Majesty’s Government are aware from the Reports of Lord Herschell, when the Joint High Commission was sitting at Washington, that this same proposition was repeatedly made by the American Commissioners, and as often rejected by the British Commissioners—not that the British Commissioners were opposed to arbitration; on the contrary, from the irreconcilable differences of interpretation of the Treaty which the discussion in the Commission had

developed, they had been forced to the conclusion that arbitration was the only method which ultimately could dispose of the question; but they always insisted that the constitution of the Tribunal, as proposed by the American Commissioners, had not in it the elements which would insure finality of determination. The British Commissioners were then and your Excellency's advisers are yet quite disposed to agree to the creation of a Court composed of six eminent jurists, provided that, in accordance with all precedents, a seventh member be added, to be selected by the two High Contracting Parties thus to secure the certainty of a final award.

The advisers of your Excellency are not indifferent to the result of an arbitration. They entertain a very decided opinion of the strength of their construction of the Treaty; but they conceive that no termination of this vexed question can be reached except by the submission of their interpretation to the risk and peril of a Court so constituted, that, whether winning or losing, they shall place the question beyond the still greater peril of prolonged uncertainty.

Though they would be disposed to go a long way to secure a reference to arbitration, your Excellency's advisers feel that they must adhere to their objection, unless indeed reasons are advanced for the creation of a Court which, I need hardly remark, is at variance with the well settled practice of nations. They would have expected that the United States, in making such an unprecedented proposal, would have defended it by reasons of sufficient strength and importance to justify the exception; but if such reasons exist, your Excellency's advisers are not aware of them, nor do they believe that any can be successfully advanced.

Strong, however, as is their objection to the proposed Court of Arbitration, it is one as to which they would be disposed to hear argument, but they must say emphatically that they are unalterably opposed to the terms of the reference submitted to the Court and the proposed agreement.

The question at issue between Canada and the United States is to determine and to fix the exact limit of the strip of land which, by the Treaty of 1825, was conceded by Great Britain to Russia on the north-western coast of the American continent, south of the 141st degree of longitude.

It is generally conceded that this task is not free from difficulty. The geography and topography of that part of the continent were at that time but imperfectly known, and in some respects the words used in the Treaty to describe the boundary-line ill conform with what we now know of the locality, and are susceptible of differences of interpretation. In some respects, however, the language of the Treaty is clear beyond the possibility of misconception.

I have now to call your Excellency's special attention to the fact that the reference proposed would in advance prejudice the case in a manner which is absolutely at variance not only with the spirit but even with the very letter of the Treaty. This is particularly true of the second question, by which the Arbitrators would be called upon to decide.

2. In extending the line of demarcation northwards from said point on the parallel of the 56th degree of north latitude, following the crest of the mountains situated parallel to the coast until its intersection with the 141st degree of longitude west of Greenwich, subject to the condition that when such line should exceed the distance of 10 marine leagues from the ocean then the boundary between the British and the Russian territory should be formed by a line parallel to the sinuosities of the coast and distant therefrom not more than 10 marine leagues, was it the intention and meaning of said Convention of 1825 that there should remain in the exclusive possession of Russia a continuous fringe or strip of coast on the mainland not exceeding 10 marine leagues in width, separating the British possessions from the bays, ports, inlets, havens, and waters of the ocean, and extending from the said point on the 56th degree of latitude north to a point where such line of demarcation should intersect the 141st degree of longitude west of the meridian of Greenwich.

One has only to refer to the text of the Treaty to be satisfied that the question so framed cannot result from anything to be found within the four corners of the instrument. The question as framed puts a doubt upon one of the features and dispositions of the Treaty as to which there can exist no uncertainty or ambiguity. Nothing can be shown in the Treaty which would warrant the suggestion that its intention was to give to Russia a strip of land of at least 10 marine leagues from the waters of the ocean. On the contrary the language is clear and unequivocal that the strip of land granted to Russia is to be limited by the crest of the mountains parallel to the coast, and that, if at any point, the mountains recede more than 10 marine leagues from the ocean, then the line is not to follow the crest of the mountains, but the boundary is to be fixed and

placed on the ground as soon as a distance has been reached of 10 leagues from the coast.

The reason of the strong objection here urged against the question proposed for arbitration will be better appreciated, if a moment's consideration be given to the far-reaching effects involved in it. For instance, the crest of the mountains nearest Skagway, at the extremity of the Lynn inlet, is about 15 miles from the same. At that point is a watershed both of the Pacific Ocean and of the Arctic Ocean. The provisional boundary has been placed at that point. By no possible construction of the language of the Treaty can it be pretended that the strip of land granted to Russia may extend beyond that point. Yet, under the proposed Treaty, the Arbitrators would be asked to decide if, in reality, the present provisional boundary should not be removed from the crest of the mountains, some 15 miles further, to the very shores of Lake Bennett. It is not, therefore, to be wondered at, if we insist that to agree to have such a question submitted to arbitration would be a clear abandonment of the rights of Canada.

I am not forgetful of the observation to which our attention is called in the despatch of the Colonial Office, that "it is no longer proposed specifically to exempt all or any existing United States' Settlements from the perils of arbitration."

There is no specific, but there is a very effective exemption. The question to be submitted to the Arbitrators is, whether it was the intention of the Treaty to grant to Russia a strip of coast of 10 marine leagues on the mainland "separating the British possessions from the bays, ports, inlets, havens, and waters of the ocean." If this precise language means anything it means that the only point to be determined is whether the strip of the coast was to be 10 marine leagues in width, or if it could be less; but the point from which this strip of land is to be measured is not an issue; it is to be from the extremity of all bays, ports, inlets, havens; in other words, British territory is not to touch water at any point. The contention of Canada that the line should follow the crest of the mountains parallel to the coast, but so as to include bays, ports, inlets, which by the well understood law of nations are territorial waters, would be excluded. The three American jurists would hold that, under the reference, the controlling words of the question made it plain that the only point to decide is as to the width of the strip which is to separate the British possessions from access to all waters, even territorial waters, such as bays, ports, inlets, and havens. In this way, the United States' Settlements are securely exempt from the perils of arbitration.

I would be loath to be hypercritical and to appear to do an injustice to the American diplomats who have drafted the reference. There is an easy way of testing the question, and that is by simply asking the Secretary of State to agree to a modification of the question so as to leave it to the Arbitrators to decide whether the boundary-line should go round all bays, ports, inlets, and havens, or whether it might, also following the crest of the mountains, pass across bays, ports, inlets, and havens.

It is superfluous to add that the American Government will not agree to any such modification.

All those who have confidentially discussed this question with American diplomats are aware of the position which they take on this point. They blandly aver that the American Senate would never agree to any Treaty which would leave to a Court of Arbitration to decide whether their establishments at Skagway and Dyea are actually in American or in British territory.

The American Constitution, as His Majesty's Government are well aware, makes it particularly difficult for foreign nations to negotiate Treaties with the President of the United States. It may be just as well, therefore, to recognize the difficulties of the American Secretary of State.

In presenting this aspect of the case, the advisers of your Excellency desire to approach the subject with perfect candour, and they would earnestly wish that it be discussed by the other side with the same candour.

If practically the American Government tell us that they will not give up Skagway even though it be on British territory, the least that can be said from their point of view is that this is a case for compromise, and that they would be prepared to give to Canada adequate compensation for the surrender of what is, from our standpoint, our undoubted right under the Treaty.

Canada would be prepared to negotiate on those terms, and to accept a compensation in trade concessions, or even in money, though this would be the most undesirable.

I again here revert to the statement of the despatch that "His Majesty's Government are dealing at present time with questions of Clayton-Bulwer Treaty and Nicaragua Canal, and think they may get better terms in connection with Alaska question if treated at the same time."

"We consider it of utmost importance to have your responsible advisers' assent to proceed on basis of draft of Treaty, as, if boundary question further delayed, we may lose advantage that our readiness to settle canal question gives us."

I think I have made it clear that under the proposed mode of arbitration no "better terms" are given to Canada, but that, on the contrary, the construction which Canada places on the Treaty is simply and completely given away—a construction so strong as almost to amount, even in the opinion of the other party to the controversy, to an absolute certainty.

Your Excellency's advisers fully recognize the importance of the best and most friendly relations ever existing between Great Britain, the United States, and Canada. In the view which they have represented above they have certainly shown a disposition to go a long way for this object when they are prepared to compromise upon a question which they have good reason to believe would be decided in their favour by judicial arbitration, but they expect that such a renunciation on their part should take place only on the ordinary condition between nations as well as between individuals, of fair, adequate, and honourable compensation.

With regard to the first question proposed for arbitration, it will be sufficient at present to observe that it is not couched in such a manner as to be entirely satisfactory, nor does it present the point at issue in the clearest and most impartial form; yet your Excellency's advisers believe that it would be possible under it to present their case to the Board of Arbitrators and obtain a determination of the real question as between Canada and the United States, and if all other objections were removed, they would not insist on this one.

There now remains to consider the second proposed Treaty. The despatch says that it is "for the settlement of the majority of the other questions discussed by the Joint High Commission, not, however, including reciprocity and Atlantic fisheries."

When the Joint High Commission having vainly endeavoured to come to an understanding on the Alaska boundary question agreed to refer it to their respective Governments, the American Commissioners very strongly urged that all the other subjects which had already engaged the attention of the Commission should be immediately disposed of.

"They regarded it as unwise to further defer the adjustments so nearly concluded after full consideration. Several subjects were so far advanced as to assure the probability of a settlement. If, then, all differences except one could now be adjusted, would it not be a most commendable advance in neighbourly friendship? Could not our respective Governments be trusted to settle the principal remaining differences by direct negotiations?" (Protocol LXIII).

The British Commissioners could not agree to those views. They "replied that all such questions should be deferred until the boundary question had been disposed of, either by agreement or reference to arbitration. The manner in which they would be prepared to adjust some of the other important matters under consideration must depend, in their view, upon whether it is possible to arrive at a settlement of all the questions which might at any time occasion acute controversy and even conflict." (Protocol LXIII.)

The reasons here advanced lead your Excellency's advisers to the conclusion that they cannot agree to the second proposed Treaty; but they are of opinion that as soon as the Alaska boundary question has been disposed of in some way, either by arbitration or compromise, the Joint Commission should be called again for the adjustment of the remaining questions.

The proposed Treaty disposes of some of these questions by simply adopting the mature and immature conclusions to which the negotiations of the Commission had brought them. At the same time two of the subjects referred to the Commission are left out—reciprocity and the Atlantic fisheries.

Your Excellency's advisers do not feel any disappointment if the question of commercial reciprocity is altogether left out. Whilst they have not changed their views as to the importance to Canada of the United States' market, they are of opinion that the time is fast approaching when the Canadian market will be just as important to the United States, and that the demand for reciprocity will come from the United States. But they strongly feel that if the most important dispositions of the Treaty of 1817 with regard to the navigation of the St. Lawrence and the Canadian canals are to be altered, negotiations for the settlement of the Atlantic fisheries should proceed *pari passu*, and that if the *status quo* is to be maintained on the one it should also be maintained on the other.

It is, however, to be here observed that whilst the despatch says in so many words that

the Atlantic fisheries question has not been included in the proposed Treaty, it is a fact that it has been materially interfered with in a manner long demanded by the American Government, viz., the transhipment of fish. Section 4 of Article III of the said proposed Treaty provides:—

“4. Fish caught in the high seas by the citizens or subjects of either of the High Contracting Parties, and destined for transit across the country of the other are entitled to the privileges accorded to other merchandizes in the foregoing paragraph of this Article.”

This disposition constitutes a direct repeal of a well-known provision of the Convention of 1817, and is a concession to the American fishermen for which they have long pressed, and which the Canadian Government have always professed their willingness to grant, on the reconsideration of the whole Treaty, which would secure them some equivalent. This very fair and reasonable request has always been refused by the American authorities, and under the proposed Treaty they would carry their point to the sacrifice of Canadian Treaties. It might be shown, though it is now useless so to do, that other Canadian interests are absolutely given away without apparently the thought of any compensation.

The fact is that on basing a Treaty upon the negotiations of the Joint High Commission, so far as they had then proceeded, a gross injustice would be perpetrated towards Canada.

In the language already quoted from the last Protocol of the British Commissioners, “the manner in which they would be prepared to adjust some of the other important matters under consideration must depend in their view upon whether it is possible to arrive at a settlement of all the questions which might at any time occasion acute controversy and even conflict.”

The negotiations upon all subjects approached had been conducted by the Canadian Commissioners in a most friendly spirit, and in the hope that the concessions which they were prepared to make on many points would be met by some corresponding concessions from the other side, on other points, notably on the Atlantic fisheries. They had yet practically obtained nothing when the Commission adjourned.

It is obvious from the last Protocol that the negotiations on the several subjects referred to the Commission had not yet reached such a stage of maturity as to be in condition to be embodied in a Treaty.

The conclusion of your Excellency's advisers is:—

1. That all subjects referred to the Commission, with the exception of the Atlantic fisheries should be left to the Commission itself; and

2. That the question of the Alaska boundary be settled by a fair and honourable compromise, or disposed of by a Board of Arbitration so constituted as to insure finality and a fair reference to all sides of the controversy. I need hardly add that upon such a reference all equities which the United States could invoke from possession of what might be found British territory should be provided for, and that it should be in the power of the Court of Arbitration to allow such territory to remain in the possession of the United States, on the condition of proper compensation to Canada.

I have, &c.

(Signed) WILFRID LAURIER.

Inclosure 4 in No. 15.

Draft of Telegram from Mr. Chamberlain to Governor-General the Earl of Minto.

(Secret.)

REFERRING to your Secret despatch of the 23rd August, Premier has misunderstood purport of my telegram of the 27th July. Intention was not to suggest that draft Alaska Treaty should be accepted as it stands, but to ascertain whether draft is such that the improvements which His Majesty's Government may possibly secure if it is discussed in connection with the Canal question would render it acceptable to Canada. There is nothing to prevent your Ministers from proposing amendments in either draft, and such proposals will receive the careful consideration of His Majesty's Government in connection with the Canal negotiations.

Please arrange for personal discussion of drafts between your Ministers and Sir John Anderson during Royal visit.

No. 16.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, September 19, 1901.

I AM directed by the Marquess of Lansdowne to acknowledge the receipt of your letter of the 14th instant, inclosing copies of a telegram and despatch from the Governor-General of Canada, together with the draft of a telegram which Mr. Chamberlain proposes to address to his Excellency relative to the draft Treaties, privately communicated by Mr. Hay to Lord Pauncefote, for the settlement of the Alaskan Boundary dispute and other outstanding questions.

Lord Lansdowne concurs in Mr. Chamberlain's view that the purport of the telegram sent to Lord Minto on the 27th July has been to some extent misunderstood, and that it is desirable to remove the misunderstanding.

With regard to the terms of the telegram which it is now proposed to address to his Excellency, I am to state that, in his Lordship's opinion, it is essential that the communications to the Dominion Government should not in any way imply that His Majesty's Government associate the settlement of the Alaskan Boundary and other primarily Canadian questions with that of the Inter-oceanic Canal question, or that the negotiations for the three Treaties are interdependent.

I am, therefore, to suggest that, after "discussed," the word "simultaneously" should be substituted for "in connection," and that the words "in connection with the Canal negotiations," at the end of the first paragraph, should be omitted.

I am, &c.

(Signed) F. H. VILLIERS.

No. 17.

Colonial Office to Foreign Office.—(Received October 9.)

(Confidential.)

Sir,

Downing Street, October 8, 1901.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 19th September relative to the draft Treaties recently submitted by Mr. Hay to Lord Pauncefote, and to request you to inform the Marquess of Lansdowne that the proposed telegram to the Governor-General of Canada was duly dispatched on the same date with the amendments suggested.

2. I am also to inclose copy of a later telegram to the Governor-General on the same subject, which has been sent in consequence of a private communication from Lord Lansdowne to Mr. Chamberlain.

I am, &c.

(Signed) C. P. LUCAS.

Inclosure in No. 17.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Secret.)

(Telegraphic.) P.

Downing Street, October 8, 1901.

MY telegram of the 19th September.

Inform Ministers in confidence that Canal negotiations are proceeding quickly, and that if we are to have any indirect advantage therefrom we ought to be in full possession of their views on draft Treaties at earliest possible date.

No. 18.

Colonial Office to Foreign Office.—(Received October 21.)

(Secret.)

THE Under-Secretary of State for the Colonies presents his compliments to the Under-Secretary of State for Foreign Affairs, and is directed by the Secretary of State to transmit to him, to be laid before the Marquess of Lansdowne, with reference to the letter from this Department of the 8th instant, a telegram from Lord Minto on the subject of the Alaska Boundary.

Downing Street, October 21, 1901.

Inclosure in No. 18.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Telegraphic.) P.

Kingston, Ontario, October 15, 1901.

WITH regard to draft Treaty for settlement of Alaska Boundary, inclosed in your Secret despatch of the 27th July, my Ministers dissent to proposed terms of reference for following reasons:—

Article No. I.—They object to even number of Arbitrators, but would acquiesce in proposed number if at least one of the American Arbitrators shall not be a citizen of United States or a subject of any State directly or indirectly under protection of United States and *vice versa* for Canadian Arbitrators.

They also think that last paragraph should be omitted.

Article No. IV.—My Ministers protest against language used in sub-sections 1 and 2, and are of opinion that the terms of reference should not give prominence to one contention over another, and that questions asked should be somewhat as follows:—

1. What is intended as the point of commencement?
2. What is Portland Channel?
3. What course should the line take from the point of commencement to the entrance of Portland Channel?
4. To what point on the 56th parallel is the line to be drawn from the head of Portland Channel, and what course should it follow between those points?
5. What are mountains referred to as situated parallel to the coast, [which] mountains, when within 10 marine leagues from coast, are declared to form the eastern boundary?
6. In the event of summit of such mountains proving to be in places more than 10 marine leagues from coast, should the width of *lisière* which was to belong to Russia be measured from coast of ocean, strictly so called, along a line perpendicular [*sic*] [*? parallel*] thereto, or was it the intention or meaning of said Convention that where coast is indented by deep inlets forming part of territorial waters of Russia, the width of *lisière* was to be measured (a) from the line of general direction of coast; or (b) from the line separating the waters of ocean from the territorial waters of Russia; or (c) from the heads of before-mentioned inlets?

Article No. VI.—My Ministers submit that the decision of the Arbitrators upon questions referred to them should be final and binding on all parties, and that scientific experts be then appointed to lay down boundary in compliance with such decision.

They also consider that Treaty should contain a stipulation that reference includes entire boundary at every point. Full particulars are being sent by despatch.

No. 19.

Colonial Office to Foreign Office.—(Received November 22.)

(Secret.)

Sir,

Downing Street, November 22, 1901.

I AM directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Lansdowne, paraphrase of a telegram from the Governor-General of Canada relative to a reported intention on the part of the United States' miners in the Yukon territory to attempt the overthrow of the local Government.

2. Mr. Chamberlain would suggest, for Lord Lansdowne's consideration, that the

substance of this message should be telegraphed without delay to His Majesty's Ambassador at Washington, with an instruction to his Excellency to communicate it confidentially to the United States' Government, and to request that the United States' representatives in the Yukon territory may be directed to use their influence to prevent an occurrence so greatly to be deprecated in the interests of both nations.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure in No. 19.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Very Secret and Confidential.)
(Telegraphic.) P.

[Received November 20, 1901.]

I AM told by my Prime Minister that the rumours of a contemplated rising among the United States' miners, in the Yukon territory, intended to overthrow the local Government, are not without foundation. The United States' miners largely outnumber British. Police garrison at Dawson is being strengthened. I inform you at once in order that possible complications with United States may be avoided.

No. 20.

The Marquess of Lansdowne to Lord Pauncefote.

(No. 81.)
(Telegraphic.) P.

Foreign Office, November 22, 1901.

A SECRET telegram from the Governor-General of Canada, dated 20th instant, has been repeated to you.

As much of the information in it as you think fit may be communicated to the United States' Government. Your Excellency should ask whether they have any local Agents whom they could utilize to exercise a moderating influence on the American miners, and point out that it is in the interests of both nations to prevent such an occurrence as appears to be contemplated.

No. 21.

Lord Pauncefote to the Marquess of Lansdowne.—(Received November 23.)

(No. 36.)
(Telegraphic.) P.

Washington, November 23, 1901.

DISTURBANCES in Yukon district.

With reference to your Lordship's telegram No. 81 of yesterday, Mr. Hay, in a conversation which I had with him this morning, said that the United States' Government are fully aware of the importance of using their best endeavours to prevent any such movement from taking place. They have, however, received no information of either an official or private character on the subject.

Mr. Hay believes that the report has been purposely exaggerated by the newspapers, but has promised that telegraphic instructions shall be sent without delay to the Governor of Alaska and the Commander of the United States' forces to exercise the utmost vigilance.

He told me that his Government have no Agents on the spot, and said he thought that it would be a difficult matter to send any there, especially in view of the distance of the locality in question from the United States' border.

No. 22.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, November 25, 1901.

I AM directed by the Marquess of Lansdowne to transmit to you, to be laid before the Secretary of State for the Colonies, copies of telegrams which, in accordance with the suggestion contained in your letter of the 22nd instant, were addressed to His Majesty's Ambassador at Washington on the subject of the reported intention of the United States' miners in the Yukon Territory to attempt to overthrow the Local Government.*

A copy of the reply received from Lord Pauncefote is also inclosed.†

I am, &c.

(Signed) FRANCIS BERTIE.

No. 23.

Lord Pauncefote to the Marquess of Lansdowne.—(Received December 6.)

(No. 284.)

My Lord,

Washington, November 23, 1901.

WITH reference to Mr. Lowther's despatch No. 204, of the 10th August last, relative to the protest alleged by the United States' Government to have been raised by the Kluckwan Indians against a tax levied on their canoes by the Canadian authorities, of which the Governor-General of Canada was also informed, I have the honour to transmit to your Lordship herewith a copy of an approved Minute of the Privy Council of the Dominion, which I have received from his Excellency for communication to the United States' Government.

It appears from the Minute that instructions have been given to the Canadian Customs officers on the Chilcat River to admit free, as a temporary measure, until the 5th January, 1903, the canoes in use by the Indians, with their peltries and other usual effects, and to forward to the Customs Department refund claims for any duties paid by them on such canoes and effects since the 5th January last. In his despatch, Lord Minto calls attention to the temporary nature of this suspension of the collection of duties which is not to be regarded as a matter of right.

I have forwarded a copy of the Minute in an official note to the United States' Government.

I have, &c.

(Signed) PAUNCEFOTE.

Inclosure in No. 23.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 11th November, 1901.

THE Committee of the Privy Council have had under consideration a despatch, hereto attached, dated the 10th August, 1901, from His Majesty's Chargé d'Affaires in the United States, transmitting a communication from the United States' Government regarding a protest stated to have been drawn up by the Kluckwan Indians against a tax on canoes levied by the Canadian authorities.

The Minister of Customs, to whom the despatch and inclosure were referred, reports that special instructions have been forwarded from the Department of Customs at Ottawa to the Canadian Customs officers on the Chilcat River, directing the free admission temporarily, along the Chilcat River route, until the 5th January, 1903, of the canoes in use by Indians and peltries, and other of their usual effects (not being goods in bales or other packages unusual among Indians engaged in hunting or fishing), when proceeding along the Chilcat River route, and also directing that refund claims be forwarded to the Customs Department for duties (if any) paid by the Indians on such canoes and effects since the 5th January, 1901, the collection of duties being waived temporarily as to the Indians, but not as a matter of right.

* To Lord Pauncefote, No. 20 (repeats telegram sent in No. 19), and No. 20.

† No. 21.

The Minister states that he is informed, however, by Mr. E. S. Busby, Acting Inspector of Canadian Customs on the Yukon frontier, that the Canadian Customs officer at Wells, British Columbia, had collected Customs duties upon some five Indian canoes during the present year, but that such duties were shortly afterwards refunded to the Indians, and that no duties have been collected on canoes of the Kluckwan Indians since the early part of July, 1901.

The Committee advise that your Excellency be moved to forward a certified copy of this Minute to His Majesty's Ambassador to the United States for the information of the United States' Government.

All which is respectfully submitted for his Excellency's approval.

No. 24.

Lord Pauncefote to the Marquess of Lansdowne.—(Received December 6.)

(No. 285.)

My Lord,

Washington, November 26, 1901.

WITH reference to my despatch No. 148 of the 16th May last, in which I had the honour to transmit to your Lordship copies of correspondence with the United States' Government relative to the complaints of the Chilkat Indians, in which the Acting Secretary of State of the United States informed me that any arrangement to exempt from duty, goods otherwise dutiable, is precluded by the Tariff Laws of the United States, and expressed the opinion that the proposed arrangement is unnecessary to secure to the Indians the rights which they have hitherto enjoyed, I have the honour to transmit herewith a copy of an approved Minute of the Privy Council of Canada, which I have received from the Earl of Minto, embodying a Report from the Canadian Minister of the Interior, in which he contends that the right of crossing and recrossing the boundary-line without customs restrictions is not one of the "rights and privileges" conferred upon the Indians by the *modus vivendi* of October 1899.

This Minute embodies the reply of the Canadian Government to the note from the United States' Government of the 13th May, inclosed in my despatch to your Lordship above referred to, which I communicated at the same time to the Earl of Minto.

There does not appear to be any reason why this Minute should not be communicated to the United States' Government as desired, but as the matter is not very pressing and as it relates to the construction of the *modus vivendi*, I have thought it desirable to submit it in the first instance to your Lordship, and I should be grateful if I might be favoured with telegraphic instructions on the subject.

I have, &c.

(Signed) PAUNCEFOTE.

Inclosure in No. 24.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 11th November, 1901.

THE Committee of the Privy Council have had under consideration a despatch, hereto attached, dated the 16th May, 1901, from His Majesty's Ambassador to the United States, transmitting a copy of a note he has received from the Acting Secretary of State of the United States, having reference to the arrangement proposed by the Government of Canada, whereby certain relaxations of Customs Regulations should be made on behalf of the Indians dwelling near the provisional boundary-line between Alaska and British Columbia, and conveying the views of the Secretary of the Treasury in relation thereto.

The Minister of the Interior, to whom the said despatch was referred, submits, in reply to the expression of opinion of the Secretary of the Treasury, that the proposed arrangement is unnecessary to secure to the Chilkat Indians the continuance of the rights heretofore enjoyed by them, the following remarks: The Secretary of the Treasury makes special reference to the hunting and fishing in the valley where these Indians live (the Chilkat Valley), which he considers they enjoy as a "right," secured to them by the terms of the *modus vivendi*. The Chilkat Indians in their Petition, besides the hunting

and fishing, asked for freedom of trade with the interior. This last the Government of Canada could not grant, and they considered it unsafe, as regards the prevention of the importation of dutiable goods, to allow the Indians, on excursions ostensibly for the purpose of hunting and fishing, to cross the line without inspection of their goods by the officers of the Customs. They, however, offered to waive their right to collect duties upon the canoes and the usual effects of the Indians temporarily, but not as a matter of right.

It appears, however, that the Secretary of the Treasury questions the right of the Government of Canada to collect these duties, and holds that the crossing and recrossing of the line without customs restrictions is a right of the Indians, under the provision of the *modus vivendi* "that the subjects and citizens of either Power, found by this arrangement within the temporary jurisdiction of the other, shall suffer no diminution of the rights and privileges which they now enjoy."

In the first place, it is clear, from the *modus vivendi* itself, that the "rights and privileges" therein referred to did not, in any case, include the right of crossing the customs line. For the *modus vivendi* further provides that "persons proceeding to or from Porcupine Creek" shall be permitted, in following the trail, to cross and recross the line without payment of duty. The specific provision that duties shall not be charged in the special case of these persons indicates the intention of the *modus vivendi* that they shall be chargeable in general. That the United States' Customs Laws are operative upon the provisional boundary-line is, indeed, expressly stated by the Secretary of the Treasury. It is to be noted that even the persons proceeding to and from Porcupine Creek are, under the *modus vivendi*, to be "subject to such reasonable Regulations for the protection of the revenue as the Government of Canada may prescribe."

Secondly, as these Indians have their homes on the United States' side of the provisional line, it cannot be said that they were "found by this arrangement within the temporary jurisdiction" of Canada. It is not clear, therefore, in what way the provision for the non-diminution of rights and privileges applies to them.

It is further said, in this connection, that the Chilkat Valley "has been regarded as territory of the United States." If this statement, which, however, is only true, in any sense, of the part of the valley within 30 marine miles from the sea, implies that the title of the United States to the Chilkat Valley is paramount to that of Canada, it is to be observed that this valley, from the 30-mile line to the sea, is part of the territory in dispute between the United States and Great Britain. Failing to effect a settlement of the permanent boundary, the two Powers entered into the Provisional Boundary Agreement of 1899. Under the circumstances, the rights of the two Powers on their respective sides of the provisional line must be considered equal.

The Committee advise that his Excellency be moved to forward a certified copy of this Minute to His Majesty's Ambassador to the United States, as representing the views of the Government of Canada upon the matter.

All which is respectfully submitted for his Excellency's approval.

(Signed)

JOHN J. McGEE,

Clerk of the Privy Council.

No. 25.

Colonial Office to Foreign Office.—(Received December 9.)

(Confidential.)

Sir,

Downing Street, December 7, 1901.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 25th November, inclosing copy of a telegraphic correspondence with His Majesty's Ambassador at Washington relative to the reported intention of the United States' miners in the Yukon Territory to attempt the overthrow of the Local Government.

2. Lord Pauncefote's telegram of the 23rd ultimo was repeated to Lord Minto on the 26th ultimo.

3. A copy of a despatch which has since been received from Lord Minto is inclosed, for the information of the Marquess of Lansdowne.

I am, &c.

(Signed)

H. BERTRAM COX.

Inclosure in No. 25.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Secret.)

Sir, *Government House, Ottawa, November 23, 1901.*
 ON the 20th instant I had the honour to send you a cypher cable, of which the following is a paraphrase:—

“Am informed by Premier that rumours of a contemplated rising among American miners in the Yukon Territory have some foundation. British miners are largely outnumbered by American miners. Garrison of North-West Mounted Police at Dawson is being reinforced. In view of avoiding possible complications with United States, I inform you of above at once.”

Owing to an interview I had that day with Sir Wilfrid, it appeared to me advisable to inform you of the rumours as to recent events in the Yukon Territory, as to which the Prime Minister assured me there was cause for serious anxiety, he being evidently apprehensive of possible complications with the United States.

I have, however, since the conversation above alluded to, consulted Lieutenant-Colonel White, the Comptroller of the North-West Mounted Police, who is fully cognizant of all particulars connected with the reported plot, and he tells me that, though no doubt there is evidence of an organization to overthrow the local authority at Dawson, it appears to him to have originated amongst a few very low-class mining adventurers, who could hardly be expected to carry much influence even with the rough, unsettled element which always frequents mining camps. The report that arms have been clandestinely passed into the Yukon Territory he does not believe, though it must be remembered that the population of such outlying districts are generally armed.

The strength of the North-West Mounted Police in the Yukon Territory is at present 240, which will be immediately increased to 300. They have in Dawson and at Whitehorse a few small guns and a Maxim at each place. The force is well supplied with ammunition, and Dawson is in direct telegraphic communication with Ottawa.

The United States' officer in command of troops at Skagway I am personally acquainted with, and he is very well spoken of.

From the information supplied me by Colonel White, I am glad to state that there appears to me little cause for apprehension.

I have, &c.
 (Signed) MINTO.

No. 26.

Lord Pauncefoot to the Marquess of Lansdowne.—(Received December 9.)

(No. 40.)

(Telegraphic.) P.

Washington, December 9, 1901.

WITH reference to my telegram No. 36 of the 23rd ultimo, I have the honour to inform your Lordship that the Attorney-General and Secretary of War have received intelligence relative to the reported disturbances in Yukon territory, from which it appears that the rumours of a rising in the Klondyke region are grossly exaggerated, and are not regarded seriously in Alaska. Vigilance, will, however, continue to be exercised by the United States' authorities.

No. 27.

Foreign Office to Colonial Office.

Sir, *Foreign Office, December 11, 1901.*

WITH reference to the letter from this Office of the 3rd June last, relating to the complaints of the Chilkat Indians, I am directed by the Marquess of Lansdowne to transmit to you the accompanying copy of a despatch from His Majesty's Ambassador at Washington,* forwarding a copy of an approved minute of the Privy

* No. 24.

Council of Canada, in which it is contended that the right of crossing and recrossing the boundary without Customs restrictions is not one of the "rights and privileges" conferred upon the Indians by the *modus vivendi* of October, 1899. Lord Pauncefote asks whether he should communicate this minute to the United States' Government, in accordance with the wish expressed by the Canadian Government.

As Lord Pauncefote has asked that he may receive instructions on the subject by telegraph, I am to request that Lord Lansdowne may be favoured as soon as possible with Mr. Secretary Chamberlain's opinion as to the answer to be made to his Excellency.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 28.

Foreign Office to Colonial Office.

Sir,

Foreign Office, December 14, 1901.

WITH reference to the letter from this Office of the 23rd August last relative to the protest of the Kluckwan Indians against a tax on canoes levied by the Canadian authorities, I am directed by the Marquess of Lansdowne to transmit to you the accompanying copy of a despatch from His Majesty's Ambassador at Washington,* forwarding a copy of an approved Minute of the Privy Council of the Dominion, from which it appears that instructions have been given to the Canadian Customs officers on the Chilcat River to admit free, as a temporary measure, until the 5th January, 1903, the canoes in use by the Indians, with their peltries and usual effects, when proceeding by the Chilcat River route, and to forward to the Customs Department refund claims for any duties paid by them since the 5th January last. Lord Pauncefote has, in accordance with the wishes of the Canadian Government, communicated a copy of this Minute to the United States' Government.

Lord Lansdowne proposes, if Mr. Secretary Chamberlain concurs, to approve his Excellency's action.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 29.

Colonial Office to Foreign Office.—(Received December 17.)

Sir,

Downing Street, December 17, 1901.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 11th instant relative to the complaints of the Chilcat Indians, and, in reply, I am to suggest, for the consideration of the Marquess of Lansdowne, that Lord Pauncefote should be instructed to communicate to the United States' Government the Minute of the Canadian Privy Council, a copy of which was inclosed in his despatch No. 285 of the 26th November.

I am, &c.
(Signed) H. BERTRAM COX.

No. 30.

The Marquess of Lansdowne to Lord Pauncefote.

(No. 85.)

(Telegraphic.) P.

Foreign Office, December 17, 1901.

REFERRING to your despatch No. 285 of the 26th ultimo:

Your Excellency may communicate to United States' Government Minute of Canadian Privy Council.

No. 31.

Colonial Office to Foreign Office.—(Received December 24.)

Sir,

Downing Street, December 24, 1901.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 14th instant, and to state, for the information of the Marquess of Lansdowne, that he concurs in the proposal to approve the action of Lord Pauncefote in communicating to the United States' Government a copy of the Minute of the Canadian Privy Council, which was inclosed in his despatch No. 284 of the 23rd November, respecting the temporary remission of duties on the canoes and effects of Indians using the Chilcat River route.

I am, &c.
(Signed) H. BERTRAM COX.

No. 32.

The Marquess of Lansdowne to Lord Pauncefote.

(No. 247.)

My Lord,

Foreign Office, December 27, 1901.

I HAVE communicated to the Secretary of State for the Colonies your Excellency's despatch No. 284 of the 23rd ultimo relative to the protest reported by the United States' Government to have been raised by the Kluckwan Indians against a tax levied on their canoes by the Canadian authorities. Your Excellency reported that you had forwarded to the United States' Government a copy of a Minute of the Canadian Privy Council on the subject, which you had received from the Governor-General of the Dominion.

I have to inform your Excellency that your action in the matter is approved.

I am, &c.
(Signed) LANSDOWNE.

No. 33.

Lord Pauncefote to the Marquess of Lansdowne.—(Received December 30.)

(No. 308.)

My Lord,

Washington, December 19, 1901.

WITH reference to my telegram No. 40 of the 9th instant relative to the rumoured disturbances in the Klondyke region, I have the honour to transmit to your Lordship herewith copies of two personal notes which I have received from Mr. Hay on the subject.

As your Lordship will observe, the reports contained in these notes fully confirm the impression already prevalent here, that the disturbances in question have been much exaggerated.

I have, &c.
(Signed) PAUNCEFOTE.

Inclosure 1 in No. 33.

Mr. Hay to Lord Pauncefote.

My dear Lord Pauncefote,

*Department of State,
Washington, December 16, 1901.*

IN continuation of the information which I have heretofore given you in regard to Alaska, the Attorney-General informs me that the United States' Attorney at Eagle City, Alaska, has telegraphed him:—

"Heard rumours of rebellion in Klondyke through press. There is no foundation in fact for the report. We are in daily communication with Dawson."

And that the United States' Attorney at Juneau has also telegraphed:—

"Best information, official and otherwise, obtainable established fact of conspiracy hatched by dissatisfied American and Canadian miners, egged on by adventurers and irresponsible persons, to create disturbance in the Klondyke country. Timely exposure prevented the movement from passing beyond the embryonic stage. Some bitterness and ill-feeling exists among citizens of United States in Alaska against Canadian Mining Laws and Regulations, but as a whole Americans are not disaffected. There seems to be no question of entire collapse of incipient rebellion. Will keep you advised of further developments if any. Will enforce neutrality laws if occasion arises."

Yours faithfully,
(Signed) JOHN HAY.

Inclosure 2 in No. 33.

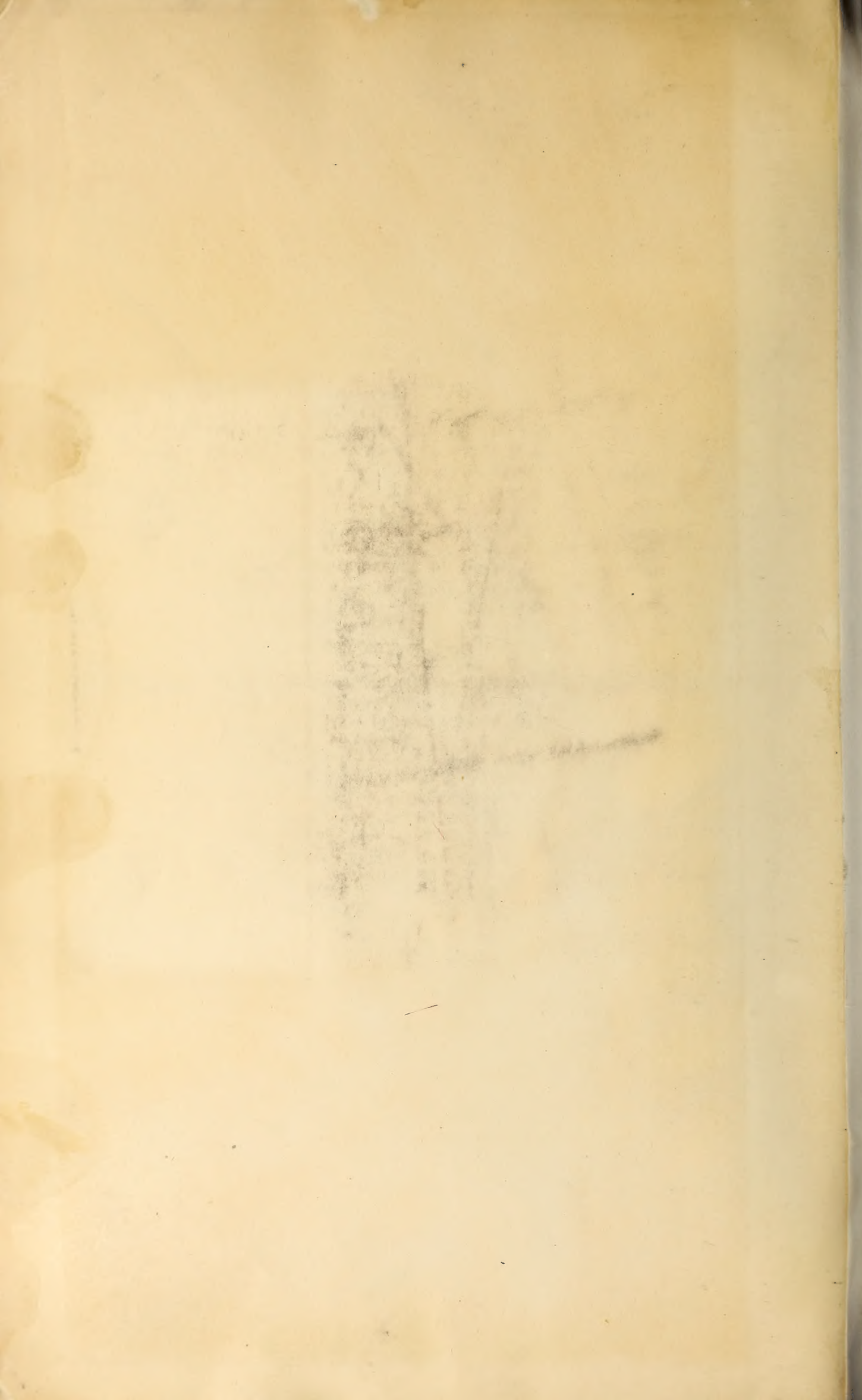
Mr. Hay to Lord Pauncefote.

Dear Lord Pauncefote,

*Department of State,
Washington, December 18, 1901.*

THE Governor of Alaska telegraphs to the Secretary of the Interior under date of the 16th December, that the newspaper sensation in regard to conspiracy is wholly untrue, and that good order prevails in the territory.

Yours faithfully,
(Signed) JOHN HAY.



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